

## Calendar No. 264

110TH CONGRESS  
1ST SESSION**S. 1642**

To extend the authorization of programs under the Higher Education Act of 1965, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 18, 2007

Mr. KENNEDY (for himself, Mr. ENZI, Mr. BINGAMAN, Mr. BROWN, Mr. DODD, Mrs. CLINTON, Mrs. MURRAY, Mr. OBAMA, Mr. REED, Mr. SANDERS, and Ms. MIKULSKI) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

JULY 10, 2007

Reported by Mr. KENNEDY, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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**A BILL**

To extend the authorization of programs under the Higher Education Act of 1965, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4       (a) ~~SHORT TITLE.—~~This Act may be cited as the  
5       ~~“Higher Education Amendments of 2007”.~~

- 1       (b) TABLE OF CONTENTS.—The table of contents for  
 2 this Act is as follows:

Sec. 1. Short title; table of contents.  
 Sec. 2. References.  
 Sec. 3. General effective date.

#### TITLE I—GENERAL PROVISIONS

Sec. 101. Additional definitions.  
 Sec. 102. General definition of institution of higher education.  
 Sec. 103. Definition of institution of higher education for purposes of title IV programs.  
 Sec. 104. Protection of student speech and association rights.  
 Sec. 105. Accreditation and institutional quality and integrity advisory committee.  
 Sec. 106. Drug and alcohol abuse prevention.  
 Sec. 107. Prior rights and obligations.  
 Sec. 108. Transparency in college tuition for consumers.  
 Sec. 109. Databases of student information prohibited.  
 Sec. 110. Performance-based organization for the delivery of Federal student financial assistance.  
 Sec. 111. Procurement flexibility.  
 Sec. 112. Institution and lender reporting and disclosure requirements.

#### TITLE II—TEACHER QUALITY ENHANCEMENT

Sec. 201. Teacher quality partnership grants.  
 Sec. 202. General provisions.

#### TITLE III—INSTITUTIONAL AID

Sec. 301. Program purpose.  
 Sec. 302. Definitions; eligibility.  
 Sec. 303. American Indian tribally controlled colleges and universities.  
 Sec. 304. Alaska native and native Hawaiian-serving institutions.  
 Sec. 305. Native American-serving, nontribal institutions.  
 Sec. 306. Part B definitions.  
 Sec. 307. Grants to institutions.  
 Sec. 308. Allotments to institutions.  
 Sec. 309. Professional or graduate institutions.  
 Sec. 310. Authority of the Secretary.  
 Sec. 311. Authorization of appropriations.  
 Sec. 312. Technical corrections.

#### TITLE IV—STUDENT ASSISTANCE

##### PART A—GRANTS TO STUDENTS IN ATTENDANCE AT INSTITUTIONS OF HIGHER EDUCATION

Sec. 401. Federal Pell Grants.  
 Sec. 402. Academic competitiveness grants.  
 Sec. 403. Federal trio programs.  
 Sec. 404. Gaining early awareness and readiness for undergraduate programs.  
 Sec. 405. Academic achievement incentive scholarships.  
 Sec. 406. Federal supplemental educational opportunity grants.

- Sec. 407. Leveraging Educational Assistance Partnership program.
- Sec. 408. Special programs for students whose families are engaged in migrant and seasonal farmwork.
- Sec. 409. Robert C. Byrd Honors Scholarship Program.
- Sec. 410. Child care access means parents in school.
- Sec. 411. Learning anytime anywhere partnerships.

#### PART B—FEDERAL FAMILY EDUCATION LOAN PROGRAM

- Sec. 421. Federal payments to reduce student interest costs.
- Sec. 422. Federal Consolidation Loans.
- Sec. 423. Default Reduction Program.
- Sec. 424. Reports to consumer reporting agencies and institutions of higher education.
- Sec. 425. Common forms and formats.
- Sec. 426. Student loan information by eligible lenders.
- Sec. 427. Consumer education information.
- Sec. 428. Definition of eligible lender.
- Sec. 429. Discharge and cancellation rights in cases of disability.
- Sec. 430. Special allowances.

#### PART C—FEDERAL WORK-STUDY PROGRAMS

- Sec. 441. Authorization of appropriations.
- Sec. 442. Allowance for books and supplies.
- Sec. 443. Grants for Federal work-study programs.
- Sec. 444. Job location and development programs.
- Sec. 445. Work colleges.

#### PART D—FEDERAL PERKINS LOANS

- Sec. 451. Cancellation of loans for certain public service.

#### PART E—NEED ANALYSIS

- Sec. 461. Cost of attendance.
- Sec. 462. Definitions.

#### PART F—GENERAL PROVISIONS RELATING TO STUDENT ASSISTANCE

- Sec. 471. Definitions.
- Sec. 472. Compliance calendar.
- Sec. 473. Forms and regulations.
- Sec. 474. Student eligibility.
- Sec. 475. Statute of limitations and State court judgments.
- Sec. 476. Institutional refunds.
- Sec. 477. Institutional and financial assistance information for students.
- Sec. 478. National Student Loan Data System.
- Sec. 479. Early awareness of financial aid eligibility.
- Sec. 480. Program participation agreements.
- Sec. 481. Regulatory relief and improvement.
- Sec. 482. Transfer of allotments.
- Sec. 483. Purpose of administrative payments.
- Sec. 484. Advisory Committee on Student Financial Assistance.
- Sec. 485. Regional meetings.
- Sec. 486. Year 2000 requirements at the Department.

#### PART G—PROGRAM INTEGRITY

- Sec. 491. Recognition of accrediting agency or association.
- Sec. 492. Administrative capacity standard.
- Sec. 493. Program review and data.
- Sec. 494. Timely information about loans.
- Sec. 495. Auction evaluation and report.

#### TITLE V—DEVELOPING INSTITUTIONS

- Sec. 501. Authorized activities.
- Sec. 502. Postbaccalaureate opportunities for Hispanic Americans.
- Sec. 503. Applications.
- Sec. 504. Cooperative arrangements.
- Sec. 505. Authorization of appropriations.

#### TITLE VI—INTERNATIONAL EDUCATION PROGRAMS

- Sec. 601. Findings.
- Sec. 602. Graduate and undergraduate language and area centers and programs.
- Sec. 603. Undergraduate international studies and foreign language programs.
- Sec. 604. Research; studies.
- Sec. 605. Technological innovation and cooperation for foreign information access.
- Sec. 606. Selection of certain grant recipients.
- Sec. 607. American overseas research centers.
- Sec. 608. Authorization of appropriations for international and foreign language studies.
- Sec. 609. Centers for international business education.
- Sec. 610. Education and training programs.
- Sec. 611. Authorization of appropriations for business and international education programs.
- Sec. 612. Minority foreign service professional development program.
- Sec. 613. Institutional development.
- Sec. 614. Study abroad program.
- Sec. 615. Advanced degree in international relations.
- Sec. 616. Internships.
- Sec. 617. Financial assistance.
- Sec. 618. Report.
- Sec. 619. Gifts and donations.
- Sec. 620. Authorization of appropriations for the Institute for International Public Policy.
- Sec. 621. Definitions.
- Sec. 622. Assessment and enforcement.

#### TITLE VII—GRADUATE AND POSTSECONDARY IMPROVEMENT PROGRAMS

- Sec. 701. Purpose.
- Sec. 702. Allocation of Jacob K. Javits Fellowships.
- Sec. 703. Stipends.
- Sec. 704. Authorization of appropriations for the Jacob K. Javits Fellowship Program.
- Sec. 705. Institutional eligibility under the Graduate Assistance in Areas of National Need Program.
- Sec. 706. Awards to graduate students.
- Sec. 707. Additional assistance for cost of education.

- Sec. 708. Authorization of appropriations for the Graduate Assistance in Areas of National Need Program.
- Sec. 709. Legal educational opportunity program.
- Sec. 710. Fund for the improvement of postsecondary education.
- Sec. 711. Special projects.
- Sec. 712. Authorization of appropriations for the fund for the improvement of postsecondary education.
- Sec. 713. Repeal of the urban community service program.
- Sec. 714. Grants for students with disabilities.
- Sec. 715. Applications for demonstration projects to ensure students with disabilities receive a quality higher education.
- Sec. 716. Authorization of appropriations for demonstration projects to ensure students with disabilities receive a quality higher education.

#### TITLE VIII—MISCELLANEOUS

- Sec. 801. Miscellaneous.

#### TITLE IX—AMENDMENTS TO OTHER LAWS

##### PART A—EDUCATION OF THE DEAF ACT OF 1986

- Sec. 901. Laurent Clerc National Deaf Education Center.
- Sec. 902. Agreement with Gallaudet University.
- Sec. 903. Agreement for the National Technical Institute for the Deaf.
- Sec. 904. Cultural experiences grants.
- Sec. 905. Audit.
- Sec. 906. Reports.
- Sec. 907. Monitoring, evaluation, and reporting.
- Sec. 908. Liaison for educational programs.
- Sec. 909. Federal endowment programs for Gallaudet University and the National Technical Institute for the Deaf.
- Sec. 910. Oversight and effect of agreements.
- Sec. 911. International students.
- Sec. 912. Research priorities.
- Sec. 913. Authorization of appropriations.

##### PART B—UNITED STATES INSTITUTE OF PEACE ACT

- Sec. 921. United States Institute of Peace Act.

##### PART C—THE HIGHER EDUCATION AMENDMENTS OF 1998

- Sec. 931. Repeals.
- Sec. 932. Grants to States for workplace and community transition training for incarcerated youth offenders.
- Sec. 933. Underground railroad educational and cultural program.
- Sec. 934. Olympic scholarships under the Higher Education Amendments of 1992.

##### PART D—INDIAN EDUCATION

##### SUBPART 1—TRIBAL COLLEGES AND UNIVERSITIES

- Sec. 941. Reauthorization of the Tribally Controlled College or University Assistance Act of 1978.

## SUBPART 2—NAVAJO HIGHER EDUCATION

Sec. 945. Short title.

Sec. 946. Reauthorization of Navajo Community College Act.

1 **SEC. 2. REFERENCES.**

2 Except as otherwise expressly provided, whenever in  
3 this Act an amendment or repeal is expressed in terms  
4 of an amendment to, or repeal of, a section or other provi-  
5 sion, the reference shall be considered to be made to a  
6 section or other provision of the Higher Education Act of  
7 1965 (20 U.S.C. 1001 et seq.).

8 **SEC. 3. GENERAL EFFECTIVE DATE.**

9 Except as otherwise provided in this Act or the  
10 amendments made by this Act, the amendments made by  
11 this Act shall take effect on July 1, 2007.

12 **TITLE I—GENERAL PROVISIONS**

13 **SEC. 101. ADDITIONAL DEFINITIONS.**

14 (a) AMENDMENT.—Section 103 (20 U.S.C. 1003) is  
15 amended—

16 (1) by redesignating paragraphs (9) through  
17 (16) as paragraphs (13) through (20); respectively;

18 (2) by redesignating paragraphs (4) through  
19 (8) as paragraphs (7) through (11), respectively;

20 (3) by redesignating paragraphs (1), (2), and  
21 (3) as paragraphs (2), (4), and (5), respectively;

22 (4) by inserting before paragraph (2) (as redес-  
23 ignated by paragraph (2)) the following:

1           “(1) AUTHORIZING COMMITTEES.—The term  
2           ‘authorizing committees’ means the Committee on  
3           Health, Education, Labor, and Pensions of the Sen-  
4           ate and the Committee on Education and Labor of  
5           the House of Representatives.”;

6           (5) by inserting after paragraph (2) (as redesign-  
7           ated by paragraph (3)) the following:

8           “(3) CRITICAL FOREIGN LANGUAGE.—The term  
9           ‘critical foreign language’ means each of the lan-  
10          guages contained in the list of critical languages des-  
11          ignated by the Secretary in the Federal Register on  
12          August 2, 1985 (50 Fed. Reg. 149, 31413; enacted  
13          under the authority of section 212(d) of the Edu-  
14          cation for Economic Security Act (repealed by sec-  
15          tion 2303 of the Augustus F. Hawkins-Robert T.  
16          Stafford Elementary and Secondary School Improve-  
17          ment Amendments of 1988)), except that in the im-  
18          plementation of this definition with respect to a spe-  
19          cific title, the Secretary may set priorities according  
20          to the purposes of such title and the national secu-  
21          rity, economic competitiveness, and educational  
22          needs of the United States.”;

23          (6) by inserting after paragraph (5) (as redesign-  
24          ated by paragraph (3)) the following:

25          “(6) DISTANCE EDUCATION.—

1           “(A) IN GENERAL.—Except as otherwise  
 2           provided, the term ‘distance education’ means  
 3           education that uses 1 or more of the tech-  
 4           nologies described in subparagraph (B)—

5                   “(i) to deliver instruction to students  
 6                   who are separated from the instructor; and

7                   “(ii) to support regular and sub-  
 8                   stantive interaction between the students  
 9                   and the instructor, synchronously or asyn-  
 10                  chronously.

11           “(B) INCLUSIONS.—For the purposes of  
 12           subparagraph (A), the technologies used may  
 13           include—

14                   “(i) the Internet;

15                   “(ii) one-way and two-way trans-  
 16                   missions through open broadcast, closed  
 17                   circuit, cable, microwave, broadband lines,  
 18                   fiber optics, satellite, or wireless commu-  
 19                   nications devices;

20                   “(iii) audio conferencing; or

21                   “(iv) video cassette, DVDs, and CD-  
 22                   ROMs, if the cassette, DVDs, and CD-  
 23                   ROMs are used in a course in conjunction  
 24                   with the technologies listed in clauses (i)  
 25                   through (iii).”;



(7) by inserting after paragraph (11) (as redesignated by paragraph (2)) the following:

“(12) **POVERTY LINE.**—The term ‘poverty line’ means the poverty line (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.”.

(b) **CONFORMING AMENDMENTS.**—The Act (20 U.S.C. 1001 et seq.) is amended—

(1) in section 131(a)(3)(B) (20 U.S.C. 1015(a)(3)(B)), by striking “Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives” and inserting “authorizing committees”;

(2) in section 141(d)(4)(B) (20 U.S.C. 1018(d)(4)(B)), by striking “Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate” and inserting “authorizing committees”;

(3) in section 401(f)(3) (20 U.S.C. 1070a(f)(3)), by striking “to the Committee on Appropriations” and all that follows through “House of Representatives” and inserting “to the Committee

1 on Appropriations of the Senate, the Committee on  
 2 Appropriations of the House of Representatives, and  
 3 the authorizing committees”;

4 (4) in section 428 (20 U.S.C. 1078)—

5 (A) in subsection (e)(9)(K), by striking  
 6 “House Committee on Education and the  
 7 Workforce and the Senate Committee on Labor  
 8 and Human Resources” and inserting “author-  
 9 izing committees”;

10 (B) in the matter following paragraph (2)  
 11 of subsection (g), by striking “Committee on  
 12 Labor and Human Resources of the Senate and  
 13 the Committee on Education and the Workforce  
 14 of the House of Representatives” and inserting  
 15 “authorizing committees”; and

16 (C) in subsection (n)(4), by striking “Com-  
 17 mittee on Education and the Workforce of the  
 18 House of Representatives and the Committee  
 19 on Labor and Human Resources of the Senate”  
 20 and inserting “authorizing committees”;

21 (5) in section 428A(e) (20 U.S.C. 1078–1(e))—

22 (A) in the matter preceding subparagraph  
 23 (A) of paragraph (2), by striking “Chair-  
 24 person” and all that follows through “House of

1 Representatives” and inserting “members of the  
2 authorizing committees”;

3 (B) in paragraph (3), by striking “Chair-  
4 person” and all that follows through “House of  
5 Representatives” and inserting “members of the  
6 authorizing committees”; and

7 (C) in paragraph (5), by striking “Chair-  
8 person” and all that follows through “House of  
9 Representatives” and inserting “members of the  
10 authorizing committees”;

11 (6) in section 432 (20 U.S.C. 1082)—

12 (A) in subsection (f)(1)(C), by striking  
13 “the Committee on Education and the Work-  
14 force of the House of Representatives or the  
15 Committee on Labor and Human Resources of  
16 the Senate” and inserting “either of the author-  
17 izing committees”; and

18 (B) in the matter following subparagraph  
19 (D) of subsection (n)(3), by striking “Com-  
20 mittee on Education and the Workforce of the  
21 House of Representatives and the Committee  
22 on Labor and Human Resources of the Senate”  
23 and inserting “authorizing committees”;

24 (7) in section 437(c)(1) (20 U.S.C. 1087(c)(1)),  
25 by striking “Committee on Education and the Work-

1 force of the House of Representatives and the Com-  
 2 mittee on Labor and Human Resources of the Sen-  
 3 ate” and inserting “authorizing committees”;

4 (8) in section 439 (20 U.S.C. 1087-2)—

5 (A) in subsection (d)(1)(E)(iii), by striking  
 6 “advise the Chairman” and all that follows  
 7 through “House of Representatives” and insert-  
 8 ing “advise the members of the authorizing  
 9 committees”;

10 (B) in subsection (r)—

11 (i) in paragraph (3), by striking “in-  
 12 form the Chairman” and all that follows  
 13 through “House of Representatives,” and  
 14 inserting “inform the members of the au-  
 15 thorizing committees”;

16 (ii) in paragraph (5)(B), by striking  
 17 “plan, to the Chairman” and all that fol-  
 18 lows through “Education and Labor” and  
 19 inserting “plan, to the members of the au-  
 20 thorizing committees”;

21 (iii) in paragraph (6)(B)—

22 (I) by striking “plan, to the  
 23 Chairman” and all that follows  
 24 through “House of Representatives”

1 and inserting “plan, to the members  
2 of the authorizing committees”; and

3 (H) by striking “Chairmen and  
4 ranking minority members of such  
5 Committees” and inserting “members  
6 of the authorizing committees”;

7 (iv) in paragraph (8)(C), by striking  
8 “implemented to the Chairman” and all  
9 that follows through “House of Represent-  
10 atives, and” and inserting “implemented to  
11 the members of the authorizing commit-  
12 tees, and to”; and

13 (v) in the matter preceding subpara-  
14 graph (A) of paragraph (10), by striking  
15 “days to the Chairman” and all that fol-  
16 lows through “Education and Labor” and  
17 inserting “days to the members of the au-  
18 thorizing committees”; and

19 (C) in subsection (s)(2)—

20 (i) in the matter preceding clause (i)  
21 of subparagraph (A), by striking “Treas-  
22 ury and to the Chairman” and all that fol-  
23 lows through “House of Representatives”  
24 and inserting “Treasury and to the mem-  
25 bers of the authorizing committees”; and

1                   (ii) in subparagraph (B), by striking  
 2                   “Treasury and to the Chairman” and all  
 3                   that follows through “House of Represent-  
 4                   atives” and inserting “Treasury and to the  
 5                   members of the authorizing committees”;

6                   (9) in section 455(b)(8)(B) (20 U.S.C.  
 7                   1087e(b)(8)(B)); by striking “Committee on Labor  
 8                   and Human Resources of the Senate and the Com-  
 9                   mittee on Education and the Workforce of the  
 10                  House of Representatives” and inserting “author-  
 11                  izing committees”;

12                  (10) in section 482(d) (20 U.S.C. 1089(d)); by  
 13                  striking “Committee on Labor and Human Re-  
 14                  sources of the Senate and the Committee on Edu-  
 15                  cation and Labor of the House of Representatives”  
 16                  and inserting “authorizing committees”;

17                  (11) in section 483(e) (20 U.S.C. 1090(e)); by  
 18                  striking “Committee on Labor and Human Re-  
 19                  sources of the Senate and the Committee on Edu-  
 20                  cation and the Workforce of the House of Rep-  
 21                  resentatives” and inserting “authorizing commit-  
 22                  tees”;

23                  (12) in section 485 (20 U.S.C. 1092)—

24                         (A) in subsection (f)(5)(A), by striking  
 25                         “Committee on Education and the Workforce of

1 the House of Representatives and the Com-  
 2 mittee on Labor and Human Resources of the  
 3 Senate” and inserting “authorizing commit-  
 4 tees”; and

5 (B) in subsection (g)(4)(B), by striking  
 6 “Committee on Education and the Workforce of  
 7 the House of Representatives and the Com-  
 8 mittee on Labor and Human Resources of the  
 9 Senate” and inserting “authorizing commit-  
 10 tees”;

11 (13) in section 486 (20 U.S.C. 1093)—

12 (A) in subsection (e), by striking “Com-  
 13 mittee on Labor and Human Resources of the  
 14 Senate and the Committee on Education and  
 15 the Workforce of the House of Representatives”  
 16 and inserting “authorizing committees”; and

17 (B) in subsection (f)(3)—

18 (i) in the matter preceding clause (i)  
 19 of subparagraph (A), by striking “Com-  
 20 mittee on Labor and Human Resources of  
 21 the Senate and the Committee on Edu-  
 22 cation and the Workforce of the House of  
 23 Representatives” and inserting “author-  
 24 izing committees”; and

(ii) in the matter preceding clause (i) of subparagraph (B), by striking “Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives” and inserting “authorizing committees”;

(14) in section 487A(a)(5) (20 U.S.C. 1094a(a)(5)), by striking “Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives” and inserting “authorizing committees”; and

(15) in section 498B(d) (20 U.S.C. 1099e-2(d))—

(A) in paragraph (1), by striking “Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives” and inserting “authorizing committees”; and

(B) in paragraph (2), by striking “Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives” and inserting “authorizing committees”.



1 **SEC. 102. GENERAL DEFINITION OF INSTITUTION OF HIGH-**  
 2 **ER EDUCATION.**

3 Section 101 (20 U.S.C. 1001) is amended—

4 (1) in subsection (a)(3), by inserting “, or  
 5 awards a degree that is acceptable for admission to  
 6 a graduate or professional degree program, subject  
 7 to the review and approval by the Secretary” after  
 8 “such a degree”; and

9 (2) by striking subsection (b)(2) and inserting  
 10 the following:

11 “(2) a public or nonprofit private educational  
 12 institution in any State that, in lieu of the require-  
 13 ment in subsection (a)(1), admits as regular stu-  
 14 dents persons—

15 “(A) who are beyond the age of compul-  
 16 sory school attendance in the State in which the  
 17 institution is located; or

18 “(B) who will be dually or concurrently en-  
 19 rolled in the institution and a secondary  
 20 school.”.

21 **SEC. 103. DEFINITION OF INSTITUTION OF HIGHER EDU-**  
 22 **CATION FOR PURPOSES OF TITLE IV PRO-**  
 23 **GRAMS.**

24 Section 102 (20 U.S.C. 1002) is amended—

25 (1) by striking subelause (II) of subsection  
 26 (a)(2)(A)(i) and inserting the following:

1                   ~~“(H) the institution has or had a~~  
 2                   clinical training program that was ap-  
 3                   proved by a State as of January 1,  
 4                   1992, and has continuously operated  
 5                   a clinical training program in not less  
 6                   than 1 State that is approved by such  
 7                   State;”;

8                   ~~(2) in subsection (b)—~~

9                   ~~(A) in paragraph (1)—~~

10                   ~~(i) in subparagraph (D), by inserting~~  
 11                   “and” after the semicolon;

12                   ~~(ii) in subparagraph (E), by striking~~  
 13                   “; and” and inserting a period; and

14                   ~~(iii) by striking subparagraph (F);~~  
 15                   and

16                   ~~(B) by striking paragraph (2) and insert-~~  
 17                   ing the following:

18                   ~~“(2) ADDITIONAL INSTITUTIONS.—The term~~  
 19                   ‘proprietary institution of higher education’ also in-  
 20                   cludes a proprietary educational institution in any  
 21                   State that, in lieu of the requirement in section  
 22                   101(a)(1), admits as regular students persons—

23                   ~~“(A) who are beyond the age of compul-~~  
 24                   sory school attendance in the State in which the  
 25                   institution is located; or

1           “(B) who will be dually or concurrently en-  
 2           rolled in the institution and a secondary  
 3           school.”; and

4           (3) by striking subsection (c)(2) and inserting  
 5           the following:

6           “(2) **ADDITIONAL INSTITUTIONS.**—The term  
 7           ‘postsecondary vocational institution’ also includes  
 8           an educational institution in any State that, in lieu  
 9           of the requirement in section 101(a)(1), admits as  
 10          regular students persons—

11           “(A) who are beyond the age of compul-  
 12          sory school attendance in the State in which the  
 13          institution is located; or

14           “(B) who will be dually or concurrently en-  
 15          rolled in the institution and a secondary  
 16          school.”.

17 **SEC. 104. PROTECTION OF STUDENT SPEECH AND ASSOCIA-**  
 18 **TION RIGHTS.**

19          Section 112 (20 U.S.C. 1011a) is amended—

20          (1) in subsection (a)—

21           (A) by inserting “(1)” before “It is the  
 22          sense”; and

23          (B) by adding at the end the following:

24          “(2) It is the sense of Congress that—

1           “(A) the diversity of institutions and edu-  
2           cational missions is one of the key strengths of  
3           American higher education;

4           “(B) individual colleges and universities have  
5           different missions and each institution should design  
6           its academic program in accordance with its edu-  
7           cational goals;

8           “(C) a college should facilitate the free and  
9           open exchange of ideas;

10          “(D) students should not be intimidated, har-  
11          assed, discouraged from speaking out, or discrimi-  
12          nated against;

13          “(E) students should be treated equally and  
14          fairly; and

15          “(F) nothing in this paragraph shall be con-  
16          strued to modify, change, or infringe upon any con-  
17          stitutionally protected religious liberty, freedom, ex-  
18          pression, or association.”; and

19          (2) in subsection (b)(1), by inserting “, pro-  
20          vided that the imposition of such sanction is done  
21          objectively and fairly” after “higher education”.

22   **SEC. 105. ACCREDITATION AND INSTITUTIONAL QUALITY**  
23                   **AND INTEGRITY ADVISORY COMMITTEE.**

24          (a) **IN GENERAL.**—Section 114 (20 U.S.C. 1011e) is  
25          amended to read as follows:

1 **“SEC. 114. ACCREDITATION AND INSTITUTIONAL QUALITY**  
 2 **AND INTEGRITY COMMITTEE.**

3 “(a) **ESTABLISHMENT.**—There is established in the  
 4 Department an Accreditation and Institutional Quality  
 5 and Integrity Advisory Committee (in this section referred  
 6 to as the ‘Committee’) to assess the process of accredita-  
 7 tion and the institutional eligibility and certification of  
 8 such institutions under title IV.

9 “(b) **MEMBERSHIP.**—

10 “(1) **IN GENERAL.**—The Committee shall have  
 11 15 members, of which—

12 “(A) 5 members shall be appointed by the  
 13 Secretary;

14 “(B) 5 members shall be appointed by the  
 15 Speaker of the House of Representatives upon  
 16 the recommendation of the majority leader and  
 17 minority leader of the House of Representa-  
 18 tives; and

19 “(C) 5 members shall be appointed by the  
 20 President pro tempore of the Senate upon the  
 21 recommendation of the majority leader and mi-  
 22 nority leader of the Senate.

23 “(2) **QUALIFICATIONS.**—Individuals shall be ap-  
 24 pointed as members of the Committee on—

1           “(A) the basis of the individuals’ experi-  
 2           ence, integrity, impartiality, and good judge-  
 3           ment;

4           “(B) from among individuals who are rep-  
 5           resentatives of, or knowledgeable concerning,  
 6           education and training beyond secondary edu-  
 7           cation; representatives of all sectors and types  
 8           of institutions of higher education (as defined  
 9           in section 102); and

10          “(C) on the basis of the individuals’ tech-  
 11          nical qualifications; professional standing; and  
 12          demonstrated knowledge in the fields of accredi-  
 13          tation and administration in higher education.

14          “(3) TERMS OF MEMBERS.—The term of office  
 15          of each member of the Committee shall be for 6  
 16          years, except that any member appointed to fill a va-  
 17          caney occurring prior to the expiration of the term  
 18          for which the member’s predecessor was appointed  
 19          shall be appointed for the remainder of such term.

20          “(4) VACANCY.—A vacancy on the Committee  
 21          shall be filled in the same manner as the original ap-  
 22          pointment was made not later than 90 days after  
 23          the vacancy occurred. If a vacancy occurs in a posi-  
 24          tion to be filled by the Secretary, the Secretary shall  
 25          publish a Federal Register notice soliciting nomina-

1        tions for the position not later than 30 days after  
2        being notified of the vacancy.

3            ~~“(5) INITIAL TERMS.—~~The terms of office for  
4        the initial members of the Committee shall be—

5            ~~“(A) 2 years for members appointed under~~  
6        paragraph ~~(1)(A);~~

7            ~~“(B) 4 years for members appointed under~~  
8        paragraph ~~(1)(B); and~~

9            ~~“(C) 6 years for members appointed under~~  
10       paragraph ~~(1)(C).~~

11          ~~“(6) CHAIRPERSON.—~~The members of the  
12       Committee shall select a chairperson from among  
13       the members.

14          ~~“(e) FUNCTIONS.—~~The Committee shall—

15          ~~“(1) advise the Secretary with respect to estab-~~  
16       lishment and enforcement of the standards of ac-  
17       crediting agencies or associations under subpart 2 of  
18       part H of title IV;

19          ~~“(2) advise the Secretary with respect to the~~  
20       recognition of a specific accrediting agency or asso-  
21       ciation;

22          ~~“(3) advise the Secretary with respect to the~~  
23       preparation and publication of the list of nationally  
24       recognized accrediting agencies and associations;

1           “(4) advise the Secretary with respect to the  
2           eligibility and certification process for institutions of  
3           higher education under title IV, together with rec-  
4           ommendations for improvements in such process;

5           “(5) advise the Secretary with respect to the re-  
6           lationship between—

7                   “(A) accreditation of institutions of higher  
8                   education and the certification and eligibility of  
9                   such institutions; and

10                   “(B) State licensing responsibilities with  
11                   respect to such institutions; and

12           “(6) carry out such other advisory functions re-  
13           lating to accreditation and institutional eligibility as  
14           the Secretary may prescribe in regulation.

15           “(d) MEETING PROCEDURES.—

16                   “(1) SCHEDULE.—

17                           “(A) BIENNIAL MEETINGS.—The Com-  
18                           mittee shall meet not less often than twice each  
19                           year, at the call of the Chairperson.

20                           “(B) PUBLICATION OF DATE.—The Com-  
21                           mittee shall submit the date and location of  
22                           each meeting in advance to the Secretary, and  
23                           the Secretary shall publish such information in  
24                           the Federal Register not later than 30 days be-  
25                           fore the meeting.



1           “(2) AGENDA.—

2                   “(A) ESTABLISHMENT.—The agenda for a  
3 meeting of the Committee shall be established  
4 by the Chairperson and shall be submitted to  
5 the members of the Committee upon notifica-  
6 tion of the meeting.

7                   “(B) OPPORTUNITY FOR PUBLIC COM-  
8 MENT.—The agenda shall include, at a min-  
9 imum, opportunity for public comment during  
10 the Committee’s deliberations.

11           “(3) SECRETARY’S DESIGNEE.—

12                   “(A) ATTENDANCE AT MEETING.—The  
13 Chairperson shall invite the Secretary’s des-  
14 ignee to attend all meetings of the Committee.

15                   “(B) ROLE OF DESIGNEE.—The Sec-  
16 retary’s designee may be present at a Com-  
17 mittee meeting to facilitate the exchange and  
18 free flow of information between the Secretary  
19 and the Committee. The designee shall have no  
20 authority over the agenda of the meeting, the  
21 items on that agenda, or on the resolution of  
22 any agenda item.

23           “(4) FEDERAL ADVISORY COMMITTEE ACT.—

24           The provisions of the Federal Advisory Committee

1 Act (5 U.S.C. App.) shall apply to the Committee;  
 2 except that section 14 of such Act shall not apply.

3 ~~“(e) REPORT AND NOTICE.—~~

4 ~~“(1) NOTICE.—The Secretary shall annually~~  
 5 ~~publish in the Federal Register—~~

6 ~~“(A) a list containing, for each member of~~  
 7 ~~the Committee—~~

8 ~~“(i) the member’s name;~~

9 ~~“(ii) the date of the expiration of the~~  
 10 ~~member’s term of office; and~~

11 ~~“(iii) the individual described in sub-~~  
 12 ~~section (b)(1) who appointed the member;~~  
 13 ~~and~~

14 ~~“(B) a solicitation of nominations for each~~  
 15 ~~expiring term of office on the Committee of a~~  
 16 ~~member appointed by the Secretary.~~

17 ~~“(2) REPORT.—Not later than September 30 of~~  
 18 ~~each year, the Committee shall make an annual re-~~  
 19 ~~port to the Secretary, the authorizing committees,~~  
 20 ~~and the public. The annual report shall contain—~~

21 ~~“(A) a detailed summary of the agenda~~  
 22 ~~and activities of, and the findings and rec-~~  
 23 ~~ommendations made by, the Committee during~~  
 24 ~~the preceding fiscal year;~~

1           “(B) a list of the date and location of each  
2           meeting during the preceding fiscal year;

3           “(C) a list of the members of the Com-  
4           mittee and appropriate contact information;  
5           and

6           “(D) a list of the functions of the Com-  
7           mittee, including any additional functions estab-  
8           lished by the Secretary through regulation.

9           “(f) TERMINATION.—The Committee shall terminate  
10          on September 30, 2012.”.

11          (b) TERMINATION OF NACIQI.—The National Advi-  
12          sory Committee on Institutional Quality and Integrity, es-  
13          tablished under section 114 of the Higher Education Act  
14          of 1965 (as such section was in effect the day before the  
15          date of enactment of this Act) shall terminate 90 days  
16          after such date.

17       **SEC. 106. DRUG AND ALCOHOL ABUSE PREVENTION.**

18          Section 120(a)(2) (20 U.S.C. 1011i(a)(2)) is amend-  
19          ed—

20               (1) in subparagraph (A), by striking “and”  
21               after the semicolon;

22               (2) by redesignating subparagraph (B) as sub-  
23               paragraph (D); and

24               (3) by inserting after subparagraph (A) (as  
25               amended by paragraph (1)) the following:

1           “(B) determine the number of drug and al-  
2           cohol-related incidents and fatalities that—

3                   “(i) occur on the institution’s property  
4                   or as part of any of the institution’s activi-  
5                   ties; and

6                   “(ii) are reported to the institution;

7           “(C) determine the number and type of  
8           sanctions described in paragraph (1)(E) that  
9           are imposed by the institution as a result of  
10          drug and alcohol-related incidents and fatalities  
11          on the institution’s property or as part of any  
12          of the institution’s activities; and”.

13 **SEC. 107. PRIOR RIGHTS AND OBLIGATIONS.**

14          Section 121(a) (20 U.S.C. 1011j(a)) is amended—

15               (1) in paragraph (1), by striking “1999 and for  
16               each of the 4 succeeding fiscal years” and inserting  
17               “2008 and for each succeeding fiscal year”; and

18               (2) in paragraph (2), by striking “1999 and for  
19               each of the 4 succeeding fiscal years” and inserting  
20               “2008 and for each succeeding fiscal year”.

21 **SEC. 108. TRANSPARENCY IN COLLEGE TUITION FOR CON-**  
22 **SUMERS.**

23          Part C of title I (20 U.S.C. 1015) is amended by  
24          adding at the end the following:

1 **~~“SEC. 132. TRANSPARENCY IN COLLEGE TUITION FOR CON-~~**  
 2 **~~SUMERS.~~**

3 ~~“(a) NET PRICE.—In this section, the term ‘net~~  
 4 ~~price’ means the average yearly tuition and fees paid by~~  
 5 ~~a full-time undergraduate student at an institution of~~  
 6 ~~higher education, after discounts and grants from the in-~~  
 7 ~~stitution, Federal Government, or a State have been ap-~~  
 8 ~~plied to the full price of tuition and fees at the institution.~~

9 ~~“(b) HIGHER EDUCATION PRICE INDEX.—~~

10 ~~“(1) IN GENERAL.—Not later than 1 year after~~  
 11 ~~the date of enactment of the Higher Education~~  
 12 ~~Amendments of 2007, the Commission of the Bu-~~  
 13 ~~reau of Labor Statistics, in consultation with the~~  
 14 ~~Commissioner of Education Statistics and represent-~~  
 15 ~~atives of institutions of higher education, shall de-~~  
 16 ~~velop higher education price indices that accurately~~  
 17 ~~reflect the annual change in tuition and fees for un-~~  
 18 ~~dergraduate students in the categories of institutions~~  
 19 ~~listed in paragraph (2). Such indices shall be up-~~  
 20 ~~dated annually.~~

21 ~~“(2) DEVELOPMENT.—The higher education~~  
 22 ~~price index under paragraph (1) shall be developed~~  
 23 ~~for each of the following categories:~~

24 ~~“(A) 4-year public degree-granting institu-~~  
 25 ~~tions of higher education.~~

1           “(B) 4-year private degree-granting insti-  
2           tutions of higher education.

3           “(C) 2-year public degree-granting institu-  
4           tions of higher education.

5           “(D) 2-year private degree-granting insti-  
6           tutions of higher education.

7           “(E) Less than 2-year institutions of high-  
8           er education.

9           “(F) All types of institutions described in  
10          subparagraphs (A) through (E).

11          “(3) AUTHORIZATION OF APPROPRIATIONS.—

12          There are authorized to be appropriated to carry out  
13          this subsection such sums as may be necessary.

14          “(e) REPORTING.—

15               “(1) IN GENERAL.—The Secretary shall annu-  
16               ally report, in a national list and in a list for each  
17               State, a ranking of institutions of higher education  
18               according to such institutions’ change in tuition and  
19               fees over the preceding 2 years. The purpose of such  
20               lists is to provide consumers with general informa-  
21               tion on pricing trends among institutions of higher  
22               education nationally and in each State.

23          “(2) COMPILATION.—

1                   “(A) IN GENERAL.—The lists described in  
2                   paragraph (1) shall be compiled according to  
3                   the following categories:

4                   “(i) 4-year public institutions of high-  
5                   er education.

6                   “(ii) 4-year private, nonprofit institu-  
7                   tions of higher education.

8                   “(iii) 4-year private, for-profit institu-  
9                   tions of higher education.

10                  “(iv) 2-year public institutions of  
11                  higher education.

12                  “(v) 2-year private, nonprofit institu-  
13                  tions of higher education.

14                  “(vi) 2-year private, for-profit institu-  
15                  tions of higher education.

16                  “(vii) Less than 2-year public institu-  
17                  tions of higher education.

18                  “(viii) Less than 2-year private, non-  
19                  profit institutions of higher education.

20                  “(ix) Less than 2-year private, for-  
21                  profit institutions of higher education.

22                  “(B)     PERCENTAGE     AND     DOLLAR  
23                  CHANGE.—The lists described in paragraph (1)  
24                  shall include 2 lists for each of the categories  
25                  under subparagraph (A) as follows:

1                   “(i) 1 list in which data is compiled  
2                   by percentage change in tuition and fees  
3                   over the preceding 2 years.

4                   “(ii) 1 list in which data is compiled  
5                   by dollar change in tuition and fees over  
6                   the preceding 2 years.

7                   “(3) HIGHER EDUCATION PRICE INCREASE  
8                   WATCH LISTS.—Upon completion of the development  
9                   of the higher education price indices described in  
10                  paragraph (1), the Secretary shall annually report,  
11                  in a national list, and in a list for each State, a  
12                  ranking of each institution of higher education  
13                  whose tuition and fees outpace such institution’s ap-  
14                  plicable higher education price index described in  
15                  subsection (b). Such lists shall—

16                  “(A) be known as the ‘Higher Education  
17                  Price Increase Watch Lists’;

18                  “(B) report the full price of tuition and  
19                  fees at the institution and the net price;

20                  “(C) where applicable, report the average  
21                  price of room and board for students living on  
22                  campus at the institution, except that such  
23                  price shall not be used in determining whether  
24                  an institution’s cost outpaces such institution’s  
25                  applicable higher education price index; and



1           ~~“(D) be compiled by the Secretary in a~~  
 2           ~~public document to be widely published and dis-~~  
 3           ~~seminated in paper form and through the~~  
 4           ~~website of the Department.~~

5           ~~“(4) STATE HIGHER EDUCATION APPROPRIA-~~  
 6           ~~TIONS CHART.—The Secretary shall annually report,~~  
 7           ~~in charts for each State—~~

8           ~~“(A) a comparison of the percentage~~  
 9           ~~change in State appropriations per enrolled stu-~~  
 10          ~~dent in a public institution of higher education~~  
 11          ~~in the State to the percentage change in tuition~~  
 12          ~~and fees for each public institution of higher~~  
 13          ~~education in the State for each of the previous~~  
 14          ~~5 years; and~~

15          ~~“(B) the total amount of need-based and~~  
 16          ~~merit-based aid provided by the State to stu-~~  
 17          ~~dents enrolled in a public institution of higher~~  
 18          ~~education in the State.~~

19          ~~“(5) SHARING OF INFORMATION.—The Sec-~~  
 20          ~~retary shall share the information under paragraphs~~  
 21          ~~(1) through (4) with private sector college guidebook~~  
 22          ~~publishers.~~

23          ~~“(d) NET PRICE CALCULATOR.—~~

24          ~~“(1) DEVELOPMENT.—Not later than 1 year~~  
 25          ~~after the date of enactment of the Higher Education~~

1       Amendments of 2007, the Secretary shall, in con-  
 2       sultation with institutions of higher education, de-  
 3       velop and make several model net price calculators  
 4       to help students, families, and consumers determine  
 5       the net price of an institution of higher education,  
 6       which institutions of higher education may, at their  
 7       discretion, elect to use pursuant to paragraph (3).

8           “(2) CATEGORIES.—The model net price cal-  
 9       culators described in paragraph (1) shall be devel-  
 10      oped for each of the following categories:

11           “(A) 4-year public institutions of higher  
 12      education.

13           “(B) 4-year private, nonprofit institutions  
 14      of higher education.

15           “(C) 4-year private, for-profit institutions  
 16      of higher education.

17           “(D) 2-year public institutions of higher  
 18      education.

19           “(E) 2-year private, nonprofit institutions  
 20      of higher education.

21           “(F) 2-year private, for-profit institutions  
 22      of higher education.

23           “(G) Less than 2-year public institutions  
 24      of higher education.

1           “(H) Less than 2-year private, nonprofit  
2           institutions of higher education.

3           “(I) Less than 2-year private, for-profit in-  
4           stitutions of higher education.

5           “(3) USE OF NET PRICE CALCULATOR BY IN-  
6           STITUTIONS.—Not later than 3 years after the date  
7           of enactment of the Higher Education Amendments  
8           of 2007, each institution of higher education that re-  
9           ceives Federal funds under this Act shall adopt and  
10          use a net price calculator to help students, families,  
11          and other consumers determine the net price of such  
12          institution of higher education. Such calculator may  
13          be—

14               “(A) based on a model calculator developed  
15               by the Department; or

16               “(B) developed by the institution of higher  
17               education.

18           “(4) AUTHORIZATION OF APPROPRIATIONS.—  
19           There are authorized to be appropriated to carry out  
20           this subsection such sums as may be necessary.

21           “(e) NET PRICE REPORTING IN APPLICATION INFOR-  
22           MATION.—An institution of higher education that receives  
23           Federal funds under this Act shall include, in the mate-  
24           rials accompanying an application for admission to the in-  
25           stitution, the most recent information regarding the net

1 price of the institution, calculated for each quartile of stu-  
 2 dents based on the income of either the students' parents  
 3 or, in the case of independent students (as such term is  
 4 described in section 480), of the students, for each of the  
 5 2 academic years preceding the academic year for which  
 6 the application is produced.

7       ~~“(f)       ENHANCED       COLLEGE       INFORMATION~~  
 8 ~~WEBSITE.—~~

9           ~~“(1) IN GENERAL.—~~

10                   ~~“(A) IN GENERAL.—Not later than 90~~  
 11                   days after the date of enactment of the Higher  
 12                   Education Amendments of 2007, the Secretary  
 13                   shall contract with an independent organization  
 14                   with demonstrated experience in the develop-  
 15                   ment of consumer-friendly websites to develop  
 16                   improvements to the website known as the Col-  
 17                   lege Opportunities On-Line (COOL) so that it  
 18                   better meets the needs of students, families,  
 19                   and consumers for accurate and appropriate in-  
 20                   formation on institutions of higher education.

21                   ~~“(B) IMPLEMENTATIONS.—Not later than~~  
 22                   1 year after the date of enactment of the High-  
 23                   er Education Amendments of 2007, the Sec-  
 24                   retary shall implement the improvements devel-  
 25                   oped by the independent organization described

1           under subparagraph (A) to the college informa-  
2           tion website.

3           ~~“(2) UNIVERSITY AND COLLEGE ACCOUNT-~~  
4           ~~ABILITY NETWORK.—~~Not later than 1 year after the  
5           date of enactment of the Higher Education Amend-  
6           ments of 2007, the Secretary shall develop a model  
7           document for annually reporting basic information  
8           about an institution of higher education that chooses  
9           to participate, to be posted on the college informa-  
10          tion website and made available to institutions of  
11          higher education, students, families, and other con-  
12          sumers. Such document shall be known as the ‘Uni-  
13          versity and College Accountability Network’ (U-  
14          CAN), and shall include, the following information  
15          about the institution of higher education for the  
16          most recent academic year for which the institution  
17          has available data, presented in a consumer-friendly  
18          manner:

19                 ~~“(A) A statement of the institution’s mis-~~  
20                 ~~sion and specialties.~~

21                 ~~“(B) The total number of undergraduate~~  
22                 ~~students who applied, were admitted, and en-~~  
23                 ~~rolled at the institution.~~

24                 ~~“(C) Where applicable, reading, writing,~~  
25                 ~~mathematics, and combined scores on the SAT~~

1 or ACT for the middle 50 percent range of the  
2 institution's freshman class.

3 “(D) Enrollment of full-time, part-time,  
4 and transfer students at the institution, at the  
5 undergraduate and (where applicable) graduate  
6 levels.

7 “(E) Percentage of male and female un-  
8 dergraduate students enrolled at the institution.

9 “(F) Percentage of enrolled undergraduate  
10 students from the State in which the institution  
11 is located, from other States, and from other  
12 countries.

13 “(G) Percentage of enrolled undergraduate  
14 students at the institution by race and ethnic  
15 background.

16 “(H) Retention rates for full-time and  
17 part-time first-time first-year undergraduate  
18 students enrolled at the institution.

19 “(I) Average time to degree or certificate  
20 completion for first-time, first-year under-  
21 graduate students enrolled at the institution.

22 “(J) Percentage of enrolled undergraduate  
23 students who graduate within 2 years (in the  
24 case of 2-year institutions), and 4, 5 and 6  
25 years (in the case of 2 and 4-year institutions).

1           “(K) Number of students who obtained a  
2           certificate or an associate’s, bachelor’s, mas-  
3           ter’s, or doctoral degree at the institution.

4           “(L) The undergraduate major areas of  
5           study with the highest number of degrees  
6           awarded.

7           “(M) The student-faculty ratio, and num-  
8           ber of full-time, part-time, and adjunct faculty  
9           at the institution.

10          “(N) Percentage of faculty at the institu-  
11          tion with the highest degree in their field.

12          “(O) The percentage change in total price  
13          in tuition and fees and the net price for an un-  
14          dergraduate at the institution in each of the  
15          preceding 5 academic years.

16          “(P) The total average yearly cost of tui-  
17          tion and fees, room and board, and books and  
18          other related costs for an undergraduate stu-  
19          dent enrolled at the institution, for—

20               “(i) full-time undergraduate students  
21               living on campus;

22               “(ii) full-time undergraduate students  
23               living off-campus; and

24               “(iii) in the case of students attending  
25               a public institution of higher education;

1           such costs for in-State and out-of-State  
2           students living on and off-campus.

3           ~~“(Q) The average yearly grant amount (in-~~  
4           ~~cluding Federal, State, and institutional aid)~~  
5           ~~for a student enrolled at the institution.~~

6           ~~“(R) The average yearly amount of Fed-~~  
7           ~~eral student loans, and other loans provided~~  
8           ~~through the institution, to undergraduate stu-~~  
9           ~~dents enrolled at the institution.~~

10          ~~“(S) The total yearly grant aid available to~~  
11          ~~undergraduate students enrolled at the institu-~~  
12          ~~tion, from the Federal Government, a State, the~~  
13          ~~institution, and other sources.~~

14          ~~“(T) The percentage of undergraduate stu-~~  
15          ~~dents enrolled at the institution receiving Fed-~~  
16          ~~eral, State, and institutional grants, student~~  
17          ~~loans, and any other type of student financial~~  
18          ~~assistance provided publicly or through the in-~~  
19          ~~stitution, such as Federal work-study funds.~~

20          ~~“(U) The average net price for all under-~~  
21          ~~graduate students enrolled at the institution.~~

22          ~~“(V) The percentage of first-year under-~~  
23          ~~graduate students enrolled at the institution~~  
24          ~~who live on campus and off campus.~~



1           “(W) Information on the policies of the in-  
 2           stitution related to transfer of credit from other  
 3           institutions.

4           “(X) Information on campus safety re-  
 5           quired to be collected under section 485(f).

6           “(Y) Links to the appropriate sections of  
 7           the institution’s website that provide informa-  
 8           tion on student activities offered by the institu-  
 9           tion, such as intercollegiate sports, student or-  
 10          ganizations, study abroad opportunities, intra-  
 11          mural and club sports, specialized housing op-  
 12          tions, community service opportunities, cultural  
 13          and arts opportunities on campus, religious and  
 14          spiritual life on campus, and lectures and out-  
 15          side learning opportunities.

16          “(Z) Links to the appropriate sections of  
 17          the institution’s website that provide informa-  
 18          tion on services offered by the institution to  
 19          students during and after college, such as in-  
 20          ternship opportunities, career and placement  
 21          services, and preparation for further education.

22          “(3) CONSULTATION.—The Secretary shall en-  
 23          sure that current and prospective college students,  
 24          family members of such students, and institutions of

1 higher education are consulted in carrying out para-  
 2 graphs (1) and (2):

3 ~~“(4) AUTHORIZATION OF APPROPRIATIONS.—~~

4 There are authorized to be appropriated to carry out  
 5 this subsection such sums as may be necessary.

6 ~~“(g) GAO REPORT.—~~The Comptroller General of the  
 7 United States shall—

8 ~~“(1) conduct a study on the time and cost bur-~~  
 9 ~~dens to institutions of higher education associated~~  
 10 ~~with completing the Integrated Postsecondary Edu-~~  
 11 ~~cation Data System (IPEDS), which study shall—~~

12 ~~“(A) report on the time and cost burden of~~  
 13 ~~completing the IPEDS survey for 4-year, 2-~~  
 14 ~~year, and less than 2-year institutions of higher~~  
 15 ~~education; and~~

16 ~~“(B) present recommendations for reduc-~~  
 17 ~~ing such burden;~~

18 ~~“(2) not later than 1 year after the date of en-~~  
 19 ~~actment of the Higher Education Amendments of~~  
 20 ~~2007, submit to Congress a preliminary report re-~~  
 21 ~~garding the findings of the study described in para-~~  
 22 ~~graph (1); and~~

23 ~~“(3) not later than 2 years after the date of en-~~  
 24 ~~actment of the Higher Education Amendments of~~

1       2007, submit to Congress a final report regarding  
2       such findings.”.

3       **SEC. 109. DATABASES OF STUDENT INFORMATION PROHIB-**  
4                               **ITED.**

5       Part C of title I (20 U.S.C. 1015), as amended by  
6       section 108, is further amended by adding at the end the  
7       following:

8       **“SEC. 133. DATABASE OF STUDENT INFORMATION PROHIB-**  
9                               **ITED.**

10       “(a) PROHIBITION.—Except as described in (b),  
11       nothing in this Act shall be construed to authorize the de-  
12       velopment, implementation, or maintenance of a Federal  
13       database of personally identifiable information on individ-  
14       uals receiving assistance under this Act, attending institu-  
15       tions receiving assistance under this Act, or otherwise in-  
16       volved in any studies or other collections of data under  
17       this Act, including a student unit record system, an edu-  
18       cation bar code system, or any other system that tracks  
19       individual students over time.

20       “(b) EXCEPTION.—The provisions of subsection (a)  
21       shall not affect the loan obligation enforcement activities  
22       described in section 485B.

23       “(c) STATE DATABASES.—Nothing in this Act shall  
24       prohibit a State or a consortium of States from devel-  
25       oping, implementing, or maintaining State-developed data-

1 bases that track individuals over time, including student  
 2 unit record systems that contain information related to en-  
 3 rollment, attendance, graduation and retention rates, stu-  
 4 dent financial assistance, and graduate employment out-  
 5 comes.”.

6 **SEC. 110. PERFORMANCE-BASED ORGANIZATION FOR THE**  
 7 **DELIVERY OF FEDERAL STUDENT FINANCIAL**  
 8 **ASSISTANCE.**

9 Section 141 (20 U.S.C. 1018) is amended—

10 (1) in subsection (a)—

11 (A) in paragraph (1), by striking “oper-  
 12 ational” and inserting “administrative and  
 13 oversight”; and

14 (B) in paragraph (2)(D), by striking “of  
 15 the operational functions” and inserting “and  
 16 administration”;

17 (2) in subsection (b)—

18 (A) in paragraph (1)—

19 (i) in subparagraph (A), by striking  
 20 “the information systems administered by  
 21 the PBO, and other functions performed  
 22 by the PBO” and inserting “the Federal  
 23 student financial assistance programs au-  
 24 thorized under title IV”; and

1                   (ii) by striking subparagraph (C) and  
2                   inserting the following:

3                   “(C) assist the Chief Operating Officer in  
4                   identifying goals for—

5                   “(i) the administration of the systems  
6                   used to administer the Federal student fi-  
7                   nancial assistance programs authorized  
8                   under title IV; and

9                   “(ii) the updating of such systems to  
10                  current technology.”; and

11                  (B) in paragraph (2)—

12                  (i) in the matter preceding subpara-  
13                  graph (A), by striking “administration of  
14                  the information and financial systems that  
15                  support” and inserting “the administration  
16                  of Federal”;

17                  (ii) in subparagraph (A)—

18                   (I) in the matter preceding clause  
19                   (i), by striking “of the delivery system  
20                   for Federal student assistance” and  
21                   inserting “for the Federal student as-  
22                   sistance programs authorized under  
23                   title IV”;

24                   (II) by striking clauses (i) and  
25                   (ii) and inserting the following:

1 “(i) the collection, processing, and  
 2 transmission of data to students, institu-  
 3 tions, lenders, State agencies, and other  
 4 authorized parties;

5 “(ii) the design and technical speci-  
 6 fications for software development and pro-  
 7 curement for systems supporting the stu-  
 8 dent financial assistance programs author-  
 9 ized under title IV;”;

10 (III) in clause (iii), by striking  
 11 “delivery” and inserting “administra-  
 12 tion”;

13 (IV) in clause (iv)—

14 (aa) by inserting “the” after  
 15 “supporting”; and

16 (bb) by striking “and” after  
 17 the semicolon;

18 (V) in clause (v), by striking  
 19 “systems that support those pro-  
 20 grams.” and inserting “the adminis-  
 21 tration of the Federal student assist-  
 22 ance programs authorized under title  
 23 IV, and”; and

24 (VI) by adding at the end the fol-  
 25 lowing:

“(vi) ensuring the integrity of the student assistance programs authorized under title IV.”; and

(iii) in subparagraph (B), by striking “operations and services” and inserting “activities and functions”; and

(2) in subsection (c)—

(A) in the subsection heading, by striking “PERFORMANCE PLAN AND REPORT” and inserting “PERFORMANCE PLAN, REPORT, AND BRIEFING”;

(B) in paragraph (1)(C)—

(i) in clause (iii), by striking “information and delivery”; and

(ii) in clause (iv)—

(I) by striking “Developing an” and inserting “Developing”; and

(II) by striking “delivery and information system” and inserting “systems”;

(C) in paragraph (2)—

(i) in subparagraph (A), by inserting “the” after “PBO and”; and

(ii) in subparagraph (B), by striking “Officer” and inserting “Officers”;

1           (D) in paragraph (3), by inserting “stu-  
2           dents,” after “consult with”; and

3           (E) by adding at the end the following:

4           “~~(4)~~ BRIEFING ON ENFORCEMENT OF STUDENT  
5           LOAN PROVISIONS.—The Chief Operating Officer  
6           shall provide an annual briefing to the members of  
7           the authorizing committees on the steps the PBO  
8           has taken and is taking to ensure that lenders are  
9           providing the information required under clauses  
10          (iii) and (iv) of section 428(c)(3)(C) and sections  
11          428(b)(1)(Z) and 428C(b)(1)(F).”;

12          ~~(4)~~ in subsection (d)—

13               (A) in paragraph (1), by striking the sec-  
14               ond sentence; and

15               (B) in paragraph (5)—

16                       (i) in subparagraph (B), by striking  
17                       “paragraph (2)” and inserting “paragraph  
18                       (4)”; and

19                       (ii) in subparagraph (C), by striking  
20                       “this”;

21          ~~(5)~~ in subsection (f)—

22               (A) in paragraph (2), by striking “to bor-  
23               rowers” and inserting “to students, bor-  
24               rowers,”; and



1           (B) in paragraph (3)(A), by striking  
 2           “(1)(A)” and inserting “(1)”;  
 3           (6) in subsection (g)(3), by striking “not more  
 4           than 25”;  
 5           (7) in subsection (h), by striking “organiza-  
 6           tional effectiveness” and inserting “effectiveness”;  
 7           (8) by striking subsection (i);  
 8           (9) by redesignating subsection (j) as sub-  
 9           section (i); and  
 10          (10) in subsection (i) (as redesignated by para-  
 11          graph (9)), by striking “, including transition costs”.

12 **SEC. 111. PROCUREMENT FLEXIBILITY.**

13          Section 142 (20 U.S.C. 1018a) is amended—

14           (1) in subsection (b)—

15               (A) in paragraph (1)—

16                   (i) by striking “for information sys-  
 17                   tems supporting the programs authorized  
 18                   under title IV”; and

19                   (ii) by striking “and” after the semi-  
 20                   colon;

21           (B) in paragraph (2), by striking the pe-  
 22           riod at the end and inserting “, and”; and

23           (C) by adding at the end the following:

24           “(3) through the Chief Operating Officer—

1           “(A) to the maximum extent practicable;  
 2           utilize procurement systems that streamline op-  
 3           erations; improve internal controls; and enhance  
 4           management; and

5           “(B) assess the efficiency of such systems  
 6           and assess such systems’ ability to meet PBO  
 7           requirements.”;

8           (2) by striking subsection (c)(2) and inserting  
 9           the following:

10          “(2) FEE FOR SERVICE ARRANGEMENTS.—The  
 11          Chief Operating Officer shall, when appropriate and  
 12          consistent with the purposes of the PBO, acquire  
 13          services related to the functions set forth in section  
 14          141(b)(2) from any entity that has the capability  
 15          and capacity to meet the requirements set by the  
 16          PBO. The Chief Operating Officer is authorized to  
 17          pay fees that are equivalent to those paid by other  
 18          entities to an organization that provides services  
 19          that meet the requirements of the PBO, as deter-  
 20          mined by the Chief Operating Officer.”;

21          (3) in subsection (d)(2)(B), by striking “on  
 22          Federal Government contracts”;

23          (4) in subsection (g)—

24                (A) in paragraph (4)(A)—

1 (i) in the subparagraph heading, by  
 2 striking “SOLE SOURCE.—” and inserting  
 3 “SINGLE-SOURCE BASIS.—”; and

4 (ii) by striking “sole-source” and in-  
 5 serting “single-source”; and

6 (B) in paragraph (7), by striking “sole-  
 7 source” and inserting “single-source”;

8 (5) in subsection (h)(2)(A), by striking “sole-  
 9 source” and inserting “single-source”; and

10 (6) in subsection (l), by striking paragraph (3)  
 11 and inserting the following:

12 “(3) SINGLE-SOURCE BASIS.—The term ‘single-  
 13 source basis’, with respect to an award of a contract,  
 14 means that the contract is awarded to a source after  
 15 soliciting an offer or offers from, and negotiating  
 16 with, only such source (although such source is not  
 17 the only source in the marketplace capable of meet-  
 18 ing the need) because such source is the most advan-  
 19 tageous source for purposes of the award.”.

20 **SEC. 112. INSTITUTION AND LENDER REPORTING AND DIS-**  
 21 **CLOSURE REQUIREMENTS.**

22 Title I (20 U.S.C. 1001 et seq.) is amended by adding  
 23 at the end the following:

1 **~~“PART E—LENDER AND INSTITUTION REQUIRE-~~**  
 2 **~~MENTS RELATING TO EDUCATIONAL LOANS~~**

3 **~~“SEC. 151. DEFINITIONS.~~**

4 ~~“In this part:~~

5 ~~“(1) COST OF ATTENDANCE.—The term ‘cost of~~  
 6 ~~attendance’ has the meaning given the term in sec-~~  
 7 ~~tion 472.~~

8 ~~“(2) COVERED INSTITUTION.—The term ‘cov-~~  
 9 ~~ered institution’—~~

10 ~~“(A) means any educational institution~~  
 11 ~~that offers a postsecondary educational degree,~~  
 12 ~~certificate, or program of study (including any~~  
 13 ~~institution of higher education, as such term is~~  
 14 ~~defined in section 102) and receives any Fed-~~  
 15 ~~eral funding or assistance; and~~

16 ~~“(B) includes any employee or agent of the~~  
 17 ~~educational institution or any organization or~~  
 18 ~~entity affiliated with, or directly or indirectly~~  
 19 ~~controlled by, such institution.~~

20 ~~“(3) EDUCATIONAL LOAN.—The term ‘edu-~~  
 21 ~~ational loan’ means any loan made, insured, or~~  
 22 ~~guaranteed under title IV.~~

23 ~~“(4) EDUCATIONAL LOAN ARRANGEMENT.—The~~  
 24 ~~term ‘educational loan arrangement’ means an ar-~~  
 25 ~~rangement or agreement between a lender and a cov-~~  
 26 ~~ered institution—~~

1           “(A) under which arrangement or agree-  
 2           ment a lender provides or otherwise issues edu-  
 3           cational loans to the students attending the cov-  
 4           ered institution or the parents of such students;  
 5           and

6           “(B) which arrangement or agreement—

7                   “(i) relates to the covered institution  
 8                   recommending, promoting, endorsing, or  
 9                   using educational loans of the lender; and

10                   “(ii) involves the payment of any fee  
 11                   or provision of other material benefit by  
 12                   the lender to the institution or to groups of  
 13                   students who attend the institution.

14           “(5) LENDER.—The term ‘lender’—

15                   “(A) means—

16                           “(i) any lender—

17                                   “(I) of a loan made, insured, or  
 18                                   guaranteed under part B or D of title  
 19                                   IV; and

20                                   “(II) that is a financial institu-  
 21                                   tion, as such term is defined in sec-  
 22                                   tion 509 of the Gramm-Leach-Bliley  
 23                                   Act (15 U.S.C. 6809); and

1                   “(ii) in the case of any loan issued or  
2                   provided to a student under part D of title  
3                   IV, the Secretary; and

4                   “(B) includes any individual, group, or en-  
5                   tity acting on behalf of the lender in connection  
6                   with an educational loan.

7                   “(6) OFFICER.—The term ‘officer’ includes a  
8                   director or trustee of an institution.

9   **“SEC. 152. REQUIREMENTS FOR LENDERS AND INSTITU-**  
10                   **TIONS PARTICIPATING IN EDUCATIONAL**  
11                   **LOAN ARRANGEMENTS.**

12                  “(a) USE OF LENDER NAME.—A covered institution  
13                  that enters into an educational loan arrangement has a  
14                  duty to disclose the name of the lender in documentation  
15                  related to the loan.

16                  “(b) DISCLOSURES.—

17                   “(1) DISCLOSURES BY LENDERS.—Before a  
18                   lender issues or otherwise provides an educational  
19                   loan to a student, the lender shall provide the stu-  
20                   dent, in writing, with the disclosures described in  
21                   paragraph (2).

22                   “(2) DISCLOSURES.—The disclosures required  
23                   by this paragraph shall include a clear and promi-  
24                   nent statement—

1           “(A) of the interest rates of the edu-  
2           cational loan being offered;

3           “(B) showing sample educational loan  
4           costs, disaggregated by type;

5           “(C) that describes, with respect to each  
6           type of educational loan being offered—

7                 “(i) the types of repayment plans that  
8                 are available;

9                 “(ii) whether, and under what condi-  
10                tions, early repayment may be made with-  
11                out penalty;

12               “(iii) when and how often interest on  
13               the loan will be capitalized;

14               “(iv) the terms and conditions of  
15               deferments or forbearance;

16               “(v) all available repayment benefits;  
17               the percentage of all borrowers who qualify  
18               for such benefits; and the percentage of  
19               borrowers who received such benefits in the  
20               preceding academic year, for each type of  
21               loan being offered;

22               “(vi) the collection practices in the  
23               case of default;

1                   “(vii) all fees that the borrower may  
2                   be charged, including late payment pen-  
3                   alties and associated fees; and

4                   “(viii) whether the amount of all loans  
5                   issued by the lender to the borrower ex-  
6                   ceeds the student’s cost of attendance; and

7                   “(D) of such other information as the Sec-  
8                   retary may require.

9                   “(e) DISCLOSURES TO THE SECRETARY BY LEND-  
10                  ER.—

11                   “(1) IN GENERAL.—Each lender shall, on an  
12                   annual basis, report to the Secretary any reasonable  
13                   expenses paid or given under section 435(d)(5)(D),  
14                   487(a)(21)(A)(ii), or 487(a)(21)(A)(iv) to any em-  
15                   ployee who is employed in the financial aid office of  
16                   a covered institution, or who otherwise has respon-  
17                   sibilities with respect to educational loans or other  
18                   financial aid of the institution. Such reports shall in-  
19                   clude—

20                   “(A) the amount of each specific instance  
21                   in which the lender provided such reimburse-  
22                   ment;

23                   “(B) the name of the financial aid official  
24                   or other employee to whom the reimbursement  
25                   was made;



1           “(C) the dates of the activity for which the  
2 reimbursement was made; and

3           “(D) a brief description of the activity for  
4 which the reimbursement was made.

5           “(2) REPORT TO CONGRESS.—The Secretary  
6 shall compile the information in paragraph (1) in a  
7 report and transmit such report to the authorizing  
8 committees annually.

9   **“SEC. 153. INTEREST RATE REPORT FOR INSTITUTIONS**  
10                   **AND LENDERS PARTICIPATING IN EDU-**  
11                   **CATIONAL LOAN ARRANGEMENTS.**

12           “(a) SECRETARY DUTIES.—

13           “(1) REPORT AND MODEL FORMAT.—Not later  
14 than 180 days after the date of enactment of the  
15 Higher Education Amendments of 2007, the Sec-  
16 retary shall—

17           “(A) prepare a report on the adequacy of  
18 the information provided to students and the  
19 parents of such students about educational  
20 loans, after consulting with students, represent-  
21 atives of covered institutions (including finan-  
22 cial aid administrators, registrars, and business  
23 officers), lenders, loan servicers, and guaranty  
24 agencies;

1           “(B) include in the report a model format,  
2           based on the report’s findings, to be used by  
3           lenders and covered institutions in carrying out  
4           subsections (b) and (c)—

5           “(i) that provides information on the  
6           applicable interest rates and other terms  
7           and conditions of the educational loans  
8           provided by a lender to students attending  
9           the institution, or the parents of such stu-  
10          dents, disaggregated by each type of edu-  
11          cational loans provided to such students or  
12          parents by the lender, including—

13           “(I) the interest rate and terms  
14           and conditions of the loans offered by  
15           the lender for the upcoming academic  
16           year;

17           “(II) with respect to such loans,  
18           any benefits that are contingent on  
19           the repayment behavior of the bor-  
20           rower;

21           “(III) the average amount bor-  
22           rowed from the lender by students en-  
23           rolled in the institution who obtain  
24           loans of such type from the lender for  
25           the preceding academic year;

1                   “(IV) the average interest rate  
 2                   on such loans provided to such stu-  
 3                   dents for the preceding academic year;  
 4                   and

5                   “(V) the amount that the bor-  
 6                   rower may repay in interest, based on  
 7                   the standard repayment period of a  
 8                   loan, on the average amount borrowed  
 9                   from the lender by students enrolled  
 10                  in the institution who obtain loans of  
 11                  such type from the lender for the pre-  
 12                  ceding academic year; and

13                  “(ii) which format shall be easily usa-  
 14                  ble by lenders, institutions, guaranty agen-  
 15                  cies, loan servicers, parents, and students;  
 16                  and

17                  “(C)(i) submit the report and model for-  
 18                  mat to the authorizing committees; and

19                  “(ii) make the report and model format  
 20                  available to covered institutions, lenders, and  
 21                  the public.

22                  “(2) USE OF FORM.—The Secretary shall take  
 23                  such steps as necessary to make the model format  
 24                  available to covered institutions and to encourage—

1           ~~“(A) lenders subject to subsection (b) to~~  
 2           ~~use the model format in providing the informa-~~  
 3           ~~tion required under subsection (b); and~~

4           ~~“(B) covered institutions to use such for-~~  
 5           ~~mat in preparing the information report under~~  
 6           ~~subsection (c).~~

7           ~~“(b) LENDER DUTIES.—Each lender that has an~~  
 8           ~~educational loan arrangement with a covered institution~~  
 9           ~~shall annually, by a date determined by the Secretary, pro-~~  
 10          ~~vide to the covered institution and to the Secretary the~~  
 11          ~~information included on the model format for each type~~  
 12          ~~of educational loan provided by the lender to students at-~~  
 13          ~~tending the covered institution, or the parents of such stu-~~  
 14          ~~dents, for the preceding academic year.~~

15          ~~“(c) COVERED INSTITUTION DUTIES.—Each covered~~  
 16          ~~institution shall—~~

17           ~~“(1) prepare and submit to the Secretary an~~  
 18           ~~annual report, by a date determined by the Sec-~~  
 19           ~~retary, that includes, for each lender that has an~~  
 20           ~~educational loan arrangement with the covered insti-~~  
 21           ~~tution and that has submitted to the institution the~~  
 22           ~~information required under subsection (b)—~~

23           ~~“(A) the information included on the~~  
 24           ~~model format for each type of educational loan~~  
 25           ~~provided by the lender to students attending the~~

covered institution; or the parents of such students; and

“(B) a detailed explanation of why the covered institution believes the terms and conditions of each type of educational loan provided pursuant to the agreement are beneficial for students attending the covered institution; or the parents of such students; and

“(2) ensure that the report required under paragraph (1) is made available to the public and provided to students attending or planning to attend the covered institution; and the parents of such students; in time for the student or parent to take such information into account before applying for or selecting an educational loan.”.

## **TITLE II—TEACHER QUALITY ENHANCEMENT**

### **SEC. 201. TEACHER QUALITY PARTNERSHIP GRANTS.**

Part A of title II (20 U.S.C. 1021 et seq.) is amended to read as follows:

#### **“PART A—TEACHER QUALITY PARTNERSHIP GRANTS**

##### **“SEC. 201. PURPOSES; DEFINITIONS.**

“(a) PURPOSES.—The purposes of this part are to—

“(1) improve student achievement;

1           “(2) improve the quality of the current and fu-  
 2           ture teaching force by improving the preparation of  
 3           prospective teachers and enhancing professional de-  
 4           velopment activities;

5           “(3) hold institutions of higher education ac-  
 6           countable for preparing highly qualified teachers;  
 7           and

8           “(4) recruit qualified individuals, including mi-  
 9           norities and individuals from other occupations, into  
 10          the teaching force.

11          “(b) DEFINITIONS.—In this part:

12           “(1) ARTS AND SCIENCES.—The term ‘arts and  
 13          sciences’ means—

14                  “(A) when referring to an organizational  
 15                  unit of an institution of higher education, any  
 16                  academic unit that offers 1 or more academic  
 17                  majors in disciplines or content areas cor-  
 18                  responding to the academic subject matter  
 19                  areas in which teachers provide instruction; and

20                  “(B) when referring to a specific academic  
 21                  subject area, the disciplines or content areas in  
 22                  which academic majors are offered by the arts  
 23                  and sciences organizational unit.

24           “(2) CHILDREN FROM LOW-INCOME FAMI-  
 25          LIES.—The term ‘children from low-income families’

1 means children as described in section ~~1124(c)(1)(A)~~  
 2 of the Elementary and Secondary Education Act of  
 3 ~~1965.~~

4 “~~(3) CORE ACADEMIC SUBJECTS.—~~The term  
 5 ‘core academic subjects’ has the meaning given the  
 6 term in section ~~9101~~ of the Elementary and Sec-  
 7 ondary Education Act of ~~1965.~~

8 “~~(4) EARLY CHILDHOOD EDUCATION PRO-~~  
 9 ~~GRAM.—~~The term ‘early childhood education pro-  
 10 gram’ means—

11 “~~(A) a Head Start program or an Early~~  
 12 ~~Head Start program carried out under the~~  
 13 ~~Head Start Act (42 U.S.C. 9831 et seq.);~~

14 “~~(B) a State licensed or regulated child~~  
 15 ~~care program or school; or~~

16 “~~(C) a State prekindergarten program that~~  
 17 ~~serves children from birth through kindergarten~~  
 18 ~~and that addresses the children’s cognitive (in-~~  
 19 ~~cluding language, early literacy, and pre-~~  
 20 ~~numeracy), social, emotional, and physical de-~~  
 21 ~~velopment.~~

22 “~~(5) EARLY CHILDHOOD EDUCATOR.—~~The  
 23 term ‘early childhood educator’ means an individual  
 24 with primary responsibility for the education of chil-  
 25 dren in an early childhood education program.

1           “(6) EDUCATIONAL SERVICE AGENCY.—The  
 2           term ‘educational service agency’ has the meaning  
 3           given the term in section 9101 of the Elementary  
 4           and Secondary Education Act of 1965.

5           “(7) ELIGIBLE PARTNERSHIP.—The term ‘eligi-  
 6           ble partnership’ means an entity that—

7                   “(A) shall include—

8                           “(i) a high-need local educational  
 9                           agency;

10                          “(ii) a high-need school or a consor-  
 11                          tium of high-need schools served by the  
 12                          high-need local educational agency or, as  
 13                          applicable, a high-need early childhood  
 14                          education program;

15                          “(iii) a partner institution;

16                          “(iv) a school, department, or pro-  
 17                          gram of education within such partner in-  
 18                          stitution; and

19                          “(v) a school or department of arts  
 20                          and sciences within such partner institu-  
 21                          tion; and

22                   “(B) may include any of the following:

23                           “(i) The Governor of the State.

24                           “(ii) The State educational agency.

25                           “(iii) The State board of education.



1                   “(iv) The State agency for higher edu-  
2                   cation.

3                   “(v) A business.

4                   “(vi) A public or private nonprofit  
5                   educational organization.

6                   “(vii) An educational service agency.

7                   “(viii) A teacher organization.

8                   “(ix) A high-performing local edu-  
9                   cational agency, or a consortium of such  
10                  local educational agencies, that can serve  
11                  as a resource to the partnership.

12                  “(x) A charter school (as defined in  
13                  section 5210 of the Elementary and Sec-  
14                  ondary Education Act of 1965).

15                  “(xi) A school or department within  
16                  the partner institution that focuses on psy-  
17                  chology and human development.

18                  “(xii) A school or department within  
19                  the partner institution with comparable ex-  
20                  pertise in the disciplines of teaching, learn-  
21                  ing, and child and adolescent development.

22                  “(8) ESSENTIAL COMPONENTS OF READING IN-  
23                  STRUCTION.—The term ‘essential components of  
24                  reading instruction’ has the meaning given such

term in section 1208 of the Elementary and Secondary Education Act of 1965.

“(9) ~~EXEMPLARY TEACHER.~~—The term ‘exemplary teacher’ has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965.

“(10) ~~HIGH-NEED EARLY CHILDHOOD EDUCATION PROGRAM.~~—The term ‘high-need early childhood education program’ means an early childhood education program that is among the highest 25 percent of early childhood programs in the geographic area served by the local educational agency in the partnership, in terms of the percentage of students from families with incomes below the poverty line.

“(11) ~~HIGH-NEED LOCAL EDUCATIONAL AGENCY.~~—The term ‘high-need local educational agency’ means a local educational agency—

“(A)(i) for which not less than 20 percent of the children served by the agency are children from low-income families;

“(ii) that serves not fewer than 10,000 children from low-income families; or

“(iii) with a total of less than 600 students in average daily attendance at the schools that

are served by the agency and all of whose schools are designated with a school locale code of 6, 7, or 8, as determined by the Secretary; and

“(B)(i) for which there is a high percentage of teachers not teaching in the academic subject areas or grade levels in which the teachers were trained to teach; or

“(ii) for which there is a high teacher turnover rate or a high percentage of teachers with emergency, provisional, or temporary certification or licensure.

“(12) HIGH-NEED SCHOOL.—The term ‘high-need school’ means a public elementary school or public secondary school that—

“(A) is among the highest 25 percent of schools served by the local educational agency that serves the school, in terms of the percentage of students from families with incomes below the poverty line; or

“(B) is designated with a school locale code of 6, 7, or 8, as determined by the Secretary.

“(13) HIGHLY COMPETENT.—The term ‘highly competent’, when used with respect to an early childhood educator, means an educator—

“(A) with specialized education and training in development and education of young children from birth until entry into kindergarten;

“(B) with—

“(i) a baccalaureate degree in an academic major in the arts and sciences; or

“(ii) an associate’s degree in a related educational area; and

“(C) who has demonstrated a high level of knowledge and use of content and pedagogy in the relevant areas associated with quality early childhood education.

“(14) HIGHLY QUALIFIED.—The term ‘highly qualified’ has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 and, with respect to special education teachers, in section 602 of the Individuals with Disabilities Education Act.

“(15) INDUCTION PROGRAM.—The term ‘induction program’ means a formalized program for new teachers during not less than the teachers’ first 2 years of teaching that is designed to provide support

1 for, and improve the professional performance and  
2 advance the retention in the teaching field of, begin-  
3 ning teachers. Such program shall promote effective  
4 teaching skills and shall include the following compo-  
5 nents:

6 “(A) High-quality teacher mentoring.

7 “(B) Periodic, structured time for collabo-  
8 ration with teachers in the same department or  
9 field, as well as time for information-sharing  
10 among teachers, principals, administrators, and  
11 participating faculty in the partner institution.

12 “(C) The application of empirically based  
13 practice and scientifically valid research on in-  
14 structional practices.

15 “(D) Opportunities for new teachers to  
16 draw directly upon the expertise of teacher  
17 mentors, faculty, and researchers to support the  
18 integration of empirically based practice and  
19 scientifically valid research with practice.

20 “(E) The development of skills in instrue-  
21 tional and behavioral interventions derived from  
22 empirically based practice and, where applica-  
23 ble, scientifically valid research.

24 “(F) Faculty who—

1                   “(i) model the integration of research  
2                   and practice in the classroom; and

3                   “(ii) assist new teachers with the ef-  
4                   fective use and integration of technology in  
5                   the classroom.

6                   “(G) Interdisciplinary collaboration among  
7                   exemplary teachers, faculty, researchers, and  
8                   other staff who prepare new teachers on the  
9                   learning process and the assessment of learn-  
10                  ing.

11                  “(H) Assistance with the understanding of  
12                  data, particularly student achievement data,  
13                  and the data’s applicability in classroom in-  
14                  struction.

15                  “(I) Regular evaluation of the new teacher.

16                  “(16) LIMITED ENGLISH PROFICIENT.—The  
17                  term ‘limited English proficient’ has the meaning  
18                  given such term in section 9101 of the Elementary  
19                  and Secondary Education Act of 1965.

20                  “(17) PARTNER INSTITUTION.—The term ‘part-  
21                  ner institution’ means an institution of higher edu-  
22                  cation, which may include a 2-year institution of  
23                  higher education offering a dual program with a 4-  
24                  year institution of higher education, participating in

1 an eligible partnership that has a teacher prepara-  
2 tion program—

3 “(A) whose graduates exhibit strong per-  
4 formance on State-determined qualifying assess-  
5 ments for new teachers through—

6 “(i) demonstrating that 80 percent or  
7 more of the graduates of the program who  
8 intend to enter the field of teaching have  
9 passed all of the applicable State qualifica-  
10 tion assessments for new teachers, which  
11 shall include an assessment of each pro-  
12 spective teacher’s subject matter knowledge  
13 in the content area in which the teacher in-  
14 tends to teach; or

15 “(ii) being ranked among the highest-  
16 performing teacher preparation programs  
17 in the State as determined by the State—

18 “(I) using criteria consistent with  
19 the requirements for the State report  
20 card under section 205(b); and

21 “(II) using the State report card  
22 on teacher preparation required under  
23 section 205(b), after the first publica-  
24 tion of such report card and for every  
25 year thereafter; or

1 “(B) that requires—

2 “(i) each student in the program to  
3 meet high academic standards and partici-  
4 pate in intensive clinical experience;

5 “(ii) each student in the program pre-  
6 paring to become a teacher to become  
7 highly qualified; and

8 “(iii) each student in the program  
9 preparing to become an early childhood ed-  
10 ucator to meet degree requirements, as es-  
11 tablished by the State, and become highly  
12 competent.

13 “(18) PRINCIPLES OF SCIENTIFIC RESEARCH.—

14 The term ‘principles of scientific research’ means re-  
15 search that—

16 “(A) applies rigorous, systematic, and ob-  
17 jective methodology to obtain reliable and valid  
18 knowledge relevant to education activities and  
19 programs;

20 “(B) presents findings and makes claims  
21 that are appropriate to and supported by the  
22 methods that have been employed; and

23 “(C) includes, appropriate to the research  
24 being conducted—



1 “(i) use of systematic, empirical meth-  
2 ods that draw on observation or experi-  
3 ment;

4 “(ii) use of data analyses that are  
5 adequate to support the general findings;

6 “(iii) reliance on measurements or ob-  
7 servational methods that provide reliable  
8 and generalizable findings;

9 “(iv) claims of causal relationships  
10 only in research designs that substantially  
11 eliminate plausible competing explanations  
12 for the obtained results, which may include  
13 but shall not be limited to random-assign-  
14 ment experiments;

15 “(v) presentation of studies and meth-  
16 ods in sufficient detail and clarity to allow  
17 for replication or, at a minimum, to offer  
18 the opportunity to build systematically on  
19 the findings of the research;

20 “(vi) acceptance by a peer-reviewed  
21 journal or critique by a panel of inde-  
22 pendent experts through a comparably rig-  
23 orous, objective, and scientific review; and

1                   “(vii) use of research designs and  
2                   methods appropriate to the research ques-  
3                   tion posed.

4                   “(19) PROFESSIONAL DEVELOPMENT.—The  
5                   term ‘professional development’ has the meaning  
6                   given the term in section 9101 of the Elementary  
7                   and Secondary Education Act of 1965.

8                   “(20) SCIENTIFICALLY VALID RESEARCH.—The  
9                   term ‘scientifically valid research’ includes applied  
10                  research, basic research, and field-initiated research  
11                  in which the rationale, design, and interpretation are  
12                  soundly developed in accordance with accepted prin-  
13                  ciples of scientific research.

14                  “(21) TEACHER MENTORING.—The term  
15                  ‘teacher mentoring’ means the mentoring of new or  
16                  prospective teachers through a new or established  
17                  program that—

18                         “(A) includes clear criteria for the selec-  
19                         tion of teacher mentors who will provide role  
20                         model relationships for mentees; which criteria  
21                         shall be developed by the eligible partnership  
22                         and based on measures of teacher effectiveness;

23                         “(B) provides high-quality training for  
24                         such mentors, including instructional strategies  
25                         for literacy instruction;

1           “(C) provides regular and ongoing oppor-  
 2           tunities for mentors and mentees to observe  
 3           each other’s teaching methods in classroom set-  
 4           tings during the day in a high-need school in  
 5           the high-need local educational agency in the el-  
 6           igible partnership;

7           “(D) provides mentoring to each mentee by  
 8           a colleague who teaches in the same field,  
 9           grade, or subject as the mentee;

10          “(E) promotes empirically based practice  
 11          of, and scientifically valid research on, where  
 12          applicable—

13               “(i) teaching and learning;

14               “(ii) assessment of student learning;

15               “(iii) the development of teaching  
 16               skills through the use of instructional and  
 17               behavioral interventions; and

18               “(iv) the improvement of the mentees’  
 19               capacity to measurably advance student  
 20               learning; and

21          “(F) includes—

22               “(i) common planning time or regu-  
 23               larly scheduled collaboration for the men-  
 24               tor and mentee; and

1                   “(ii) joint professional development  
2                   opportunities.

3                   “(22) TEACHING SKILLS.—The term ‘teaching  
4                   skills’ means skills that enable a teacher to—

5                   “(A) increase student learning, achieve-  
6                   ment, and the ability to apply knowledge;

7                   “(B) effectively convey and explain aca-  
8                   demic subject matter;

9                   “(C) employ strategies grounded in the  
10                  disciplines of teaching and learning that—

11                  “(i) are based on empirically based  
12                  practice and scientifically valid research;  
13                  where applicable, on teaching and learning;

14                  “(ii) are specific to academic subject  
15                  matter; and

16                  “(iii) focus on the identification of  
17                  students’ specific learning needs, particu-  
18                  larly students with disabilities, students  
19                  who are limited English proficient, stu-  
20                  dents who are gifted and talented, and stu-  
21                  dents with low literacy levels, and the tai-  
22                  loring of academic instruction to such  
23                  needs;

24                  “(D) conduct an ongoing assessment of  
25                  student learning;

1                   “(E) effectively manage a classroom;

2                   “(F) communicate and work with parents  
3                   and guardians; and involve parents and guard-  
4                   ians in their children’s education; and

5                   “(G) use age-appropriate strategies and  
6                   practices for children, including in early child-  
7                   hood education programs.

8                   “(23) TEACHING RESIDENCY PROGRAM.—The  
9                   term ‘teaching residency program’ means a school-  
10                  based teacher preparation program in which a pro-  
11                  spective teacher—

12                   “(A) for 1 academic year, teaches along-  
13                   side a mentor teacher, who is the teacher of  
14                   record;

15                   “(B) receives concurrent instruction during  
16                   the year described in subparagraph (A) from  
17                   the partner institution, which courses may be  
18                   taught by local educational agency personnel or  
19                   residency program faculty, in the teaching of  
20                   the content area in which the teacher will be-  
21                   come certified or licensed;

22                   “(C) acquires effective teaching skills; and

23                   “(D) prior to completion of the program,  
24                   earns a master’s degree, attains full State

1           teacher certification or licensure, and becomes  
2           highly qualified.

3   **~~“SEC. 202. PARTNERSHIP GRANTS.~~**

4       ~~“(a) PROGRAM AUTHORIZED.—From amounts made~~  
5   ~~available under section 208, the Secretary is authorized~~  
6   ~~to award grants, on a competitive basis, to eligible part-~~  
7   ~~nerships, to enable the eligible partnerships to carry out~~  
8   ~~the activities described in subsection (c).~~

9       ~~“(b) APPLICATION.—Each eligible partnership desir-~~  
10   ~~ing a grant under this section shall submit an application~~  
11   ~~to the Secretary at such time, in such manner, and accom-~~  
12   ~~panied by such information as the Secretary may require.~~  
13   ~~Each such application shall contain—~~

14           ~~“(1) a needs assessment of all the partners in~~  
15   ~~the eligible partnership with respect to the prepara-~~  
16   ~~tion, ongoing training, professional development, and~~  
17   ~~retention, of general and special education teachers,~~  
18   ~~principals, and, as applicable, early childhood edu-~~  
19   ~~cators;~~

20           ~~“(2) a description of the extent to which the~~  
21   ~~program prepares prospective and new teachers with~~  
22   ~~strong teaching skills;~~

23           ~~“(3) a description of the extent to which the~~  
24   ~~program will prepare prospective and new teachers~~

1 to understand research and data and the applica-  
 2 bility of research and data in the classroom;

3 “(4) a description of how the partnership will  
 4 coordinate strategies and activities assisted under  
 5 the grant with other teacher preparation or profes-  
 6 sional development programs, including those funded  
 7 under the Elementary and Secondary Education Act  
 8 of 1965 and the Individuals with Disabilities Edu-  
 9 cation Act, and through the National Science Foun-  
 10 dation, and how the activities of the partnership will  
 11 be consistent with State, local, and other education  
 12 reform activities that promote student achievement;

13 “(5) a resource assessment that describes the  
 14 resources available to the partnership, including—

15 “(A) the integration of funds from other  
 16 related sources;

17 “(B) the intended use of the grant funds;

18 “(C) the commitment of the resources of  
 19 the partnership to the activities assisted under  
 20 this section, including financial support, faculty  
 21 participation, and time commitments, and to  
 22 the continuation of the activities when the grant  
 23 ends;

24 “(6) a description of—

1           “(A) how the partnership will meet the  
2 purposes of this part;

3           “(B) how the partnership will carry out  
4 the activities required under subsection (d) or  
5 (e) based on the needs identified in paragraph  
6 (1); with the goal of improving student achieve-  
7 ment;

8           “(C) the partnership’s evaluation plan  
9 under section 204(a);

10          “(D) how the partnership will align the  
11 teacher preparation program with the—

12           “(i) early learning standards for early  
13 childhood education programs, as applica-  
14 ble, of the State in which the partnership  
15 is located; and

16           “(ii) the student academic achieve-  
17 ment standards and academic content  
18 standards under section 1111(b)(2) of the  
19 Elementary and Secondary Education Act  
20 of 1965, established by the State in which  
21 the partnership is located;

22          “(E) how faculty at the partner institution  
23 will work with, during the term of the grant,  
24 highly qualified teachers in the classrooms of  
25 schools served by the high-need local edu-



1 educational agency in the partnership to provide  
 2 high-quality professional development activities;

3 “(F) how the partnership will design, im-  
 4 plement, or enhance a year-long, rigorous, and  
 5 enriching teaching preservice clinical program  
 6 component;

7 “(G) the in-service professional develop-  
 8 ment strategies and activities to be supported;  
 9 and

10 “(H) how the partnership will collect, ana-  
 11 lyze, and use data on the retention of all teach-  
 12 ers and early childhood educators in schools  
 13 and early childhood programs located in the ge-  
 14 ographic area served by the partnership to  
 15 evaluate the effectiveness of the partnership’s  
 16 teacher and educator support system; and

17 “(7) with respect to the induction program re-  
 18 quired as part of the activities carried out under this  
 19 section—

20 “(A) a demonstration that the schools and  
 21 departments within the institution of higher  
 22 education that are part of the induction pro-  
 23 gram have relevant and essential roles in the ef-  
 24 fective preparation of teachers, including con-  
 25 tent expertise and expertise in teaching;

1           “(B) a demonstration of the partnership’s  
 2           capability and commitment to the use of empiri-  
 3           cally based practice and scientifically valid re-  
 4           search on teaching and learning; and the acces-  
 5           sibility to and involvement of faculty;

6           “(C) a description of how the teacher prep-  
 7           aration program will design and implement an  
 8           induction program to support all new teachers  
 9           through not less than the first 2 years of teach-  
 10          ing in the further development of the new  
 11          teachers’ teaching skills; including the use of  
 12          mentors who are trained and compensated by  
 13          such program for the mentors’ work with new  
 14          teachers; and

15          “(D) a description of how faculty involved  
 16          in the induction program will be able to sub-  
 17          stantially participate in an early childhood edu-  
 18          cation program or an elementary or secondary  
 19          school classroom setting; as applicable, includ-  
 20          ing release time and receiving workload credit  
 21          for such participation.

22          “(e) REQUIRED USE OF GRANT FUNDS.—An eligible  
 23          partnership that receives a grant under this part shall use  
 24          grant funds to carry out a program for the pre-bacca-  
 25          laureate preparation of teachers under subsection (d), a

1 teaching residency program under subsection (c), or both  
 2 such programs.

3 “(d) PARTNERSHIP GRANTS FOR PRE-BACCA-  
 4 LAUREATE PREPARATION OF TEACHERS.—An eligible  
 5 partnership that receives a grant to carry out an effective  
 6 program for the pre-baccalaureate preparation of teachers  
 7 shall carry out a program that includes all of the following:

8 “(1) REFORMS.—

9 “(A) IN GENERAL.—Implementing re-  
 10 forms, described in subparagraph (B), within  
 11 each teacher preparation program and, as appli-  
 12 cable, each preparation program for early child-  
 13 hood education programs, of the eligible part-  
 14 nership that is assisted under this section, to  
 15 hold each program accountable for—

16 “(i) preparing—

17 “(I) current or prospective teach-  
 18 ers to be highly qualified (including  
 19 teachers in rural school districts who  
 20 may teach multiple subjects, special  
 21 educators, and teachers of students  
 22 who are limited English proficient  
 23 who may teach multiple subjects);

24 “(II) such teachers and, as appli-  
 25 cable, early childhood educators, to

1 understand empirically based practice  
 2 and scientifically valid research on  
 3 teaching and learning and its applica-  
 4 bility, and to use technology effec-  
 5 tively, including the use of instruc-  
 6 tional techniques to improve student  
 7 achievement; and

8 “(III) as applicable, early child-  
 9 hood educators to be highly com-  
 10 petent; and

11 “(ii) promoting strong teaching skills  
 12 and, as applicable, techniques for early  
 13 childhood educators to improve children’s  
 14 cognitive, social, emotional, and physical  
 15 development.

16 “(B) REQUIRED REFORMS.—The reforms  
 17 described in subparagraph (A) shall include—

18 “(i) implementing teacher preparation  
 19 program curriculum changes that improve,  
 20 evaluate, and assess how well all prospec-  
 21 tive and new teachers develop teaching  
 22 skills;

23 “(ii) using empirically based practice  
 24 and scientifically valid research, where ap-  
 25 plicable, about the disciplines of teaching

1 and learning so that all prospective teach-  
2 ers and, as applicable, early childhood edu-  
3 cators—

4 “(I) can understand and imple-  
5 ment research-based teaching prae-  
6 tices in classroom-based instruction;

7 “(II) have knowledge of student  
8 learning methods;

9 “(III) possess skills to analyze  
10 student academic achievement data  
11 and other measures of student learn-  
12 ing and use such data and measures  
13 to improve instruction in the class-  
14 room;

15 “(IV) possess teaching skills and  
16 an understanding of effective instruc-  
17 tional strategies across all applicable  
18 content areas that enable the teachers  
19 and early childhood educators to—

20 “(aa) meet the specific  
21 learning needs of all students, in-  
22 cluding students with disabilities;  
23 students who are limited English  
24 proficient, students who are gift-  
25 ed and talented, students with

1 low literacy levels and, as appli-  
 2 eable, children in early childhood  
 3 education programs; and

4 “(bb) differentiate instruc-  
 5 tion for such students; and

6 “(V) can successfully employ ef-  
 7 fective strategies for reading instruc-  
 8 tion using the essential components of  
 9 reading instruction;

10 “(iii) ensuring collaboration with de-  
 11 partments, programs, or units of a partner  
 12 institution outside of the teacher prepara-  
 13 tion program in all academic content areas  
 14 to ensure that new teachers receive train-  
 15 ing in both teaching and relevant content  
 16 areas in order to become highly qualified;

17 “(iv) developing and implementing an  
 18 induction program; and

19 “(v) developing admissions goals and  
 20 priorities with the hiring objectives of the  
 21 high-need local educational agency in the  
 22 eligible partnership.

23 “(2) CLINICAL EXPERIENCE AND INTER-  
 24 ACTION.—Developing and improving a sustained and  
 25 high-quality pre-service clinical education program to

1 further develop the teaching skills of all prospective  
2 teachers and, as applicable, early childhood edu-  
3 cators, involved in the program. Such program shall  
4 do the following:

5 “(A) Incorporate year-long opportunities  
6 for enrichment activity or a combination of ac-  
7 tivities, including—

8 “(i) clinical learning in classrooms in  
9 high-need schools served by the high-need  
10 local educational agency in the eligible  
11 partnership and identified by the eligible  
12 partnership; and

13 “(ii) closely supervised interaction be-  
14 tween faculty and new and experienced  
15 teachers, principals, and other administra-  
16 tors at early childhood education programs  
17 (as applicable), elementary schools, or sec-  
18 ondary schools, and providing support for  
19 such interaction.

20 “(B) Integrate pedagogy and classroom  
21 practice and promote effective teaching skills in  
22 academic content areas.

23 “(C) Provide high-quality teacher men-  
24 toring.

1           “(D)(i) Be offered over the course of a  
2           program of teacher preparation;

3           “(ii) be tightly aligned with course work  
4           (and may be developed as a 5th year of a teach-  
5           er preparation program); and

6           “(iii) where feasible, allow prospective  
7           teachers to learn to teach in the same school  
8           district in which the teachers will work, learn-  
9           ing the instructional initiatives and curriculum  
10          of that district.

11          “(E) Provide support and training for  
12          those individuals participating in an activity for  
13          prospective teachers described in this paragraph  
14          or paragraph (1) or (2), and for those who  
15          serve as mentors for such teachers, based on  
16          each individual’s experience. Such support may  
17          include—

18               “(i) with respect to a prospective  
19               teacher or a mentor, release time for such  
20               individual’s participation;

21               “(ii) with respect to a faculty member,  
22               receiving course workload credit and com-  
23               pensation for time teaching in the eligible  
24               partnership’s activities; and



1                   “(iii) with respect to a mentor, a sti-  
2                   pend.

3                   “(3) INDUCTION PROGRAMS FOR NEW TEACH-  
4                   ERS.—Creating an induction program for new teach-  
5                   ers, or, in the case of an early childhood education  
6                   program, providing mentoring or coaching for new  
7                   early childhood educators.

8                   “(4) SUPPORT AND TRAINING FOR PARTICI-  
9                   PANTS IN EARLY CHILDHOOD EDUCATION PRO-  
10                  GRAMS.—In the case of an eligible partnership fo-  
11                  cusing on early childhood educator preparation, im-  
12                  plementing initiatives that increase compensation for  
13                  early childhood educators who attain associate or  
14                  baccalaureate degrees in early childhood education.

15                  “(5) TEACHER RECRUITMENT.—Developing and  
16                  implementing effective mechanisms to ensure that  
17                  the eligible partnership is able to recruit qualified in-  
18                  dividuals to become highly qualified teachers through  
19                  the activities of the eligible partnership.

20                  “(e) PARTNERSHIP GRANTS FOR THE ESTABLISH-  
21                  MENT OF TEACHING RESIDENCY PROGRAMS.—

22                  “(1) IN GENERAL.—An eligible partnership re-  
23                  ceiving a grant to carry out an effective teaching  
24                  residency program shall carry out a program that  
25                  includes all of the following activities:

1           “(A) Supporting a teaching residency pro-  
2           gram described in paragraph (2) for high-need  
3           subjects and areas, as determined by the needs  
4           of the high-need local educational agency in the  
5           partnership.

6           “(B) Modifying staffing procedures to pro-  
7           vide greater flexibility for local educational  
8           agency and school leaders to establish effective  
9           school-level staffing in order to facilitate place-  
10          ment of graduates of the teaching residency  
11          program in cohorts that facilitate professional  
12          collaboration, both among graduates of the  
13          teaching residency program and between such  
14          graduates and mentor teachers in the receiving  
15          school.

16          “(C) Ensuring that teaching residents that  
17          participated in the teaching residency program  
18          receive—

19               “(i) effective preservice preparation as  
20               described in paragraph (2);

21               “(ii) teacher mentoring;

22               “(iii) induction through the induction  
23               program as the teaching residents enter  
24               the classroom as new teachers; and

1 “(iv) the preparation described in sub-  
 2 paragraphs (A), (B), and (C) of subsection  
 3 (d)(2).

4 “(2) TEACHING RESIDENCY PROGRAMS.—

5 “(A) ESTABLISHMENT AND DESIGN.—A  
 6 teaching residency program under this para-  
 7 graph shall be a program based upon models of  
 8 successful teaching residencies that serves as a  
 9 mechanism to prepare teachers for success in  
 10 the high-need schools in the eligible partner-  
 11 ship, and shall be designed to include the fol-  
 12 lowing characteristics of successful programs:

13 “(i) The integration of pedagogy,  
 14 classroom practice, and teacher mentoring.

15 “(ii) Engagement of teaching resi-  
 16 dents in rigorous graduate-level coursework  
 17 to earn a master’s degree while under-  
 18 taking a guided teaching apprenticeship.

19 “(iii) Experience and learning oppor-  
 20 tunities alongside a trained and experi-  
 21 enced mentor teacher—

22 “(I) whose teaching shall com-  
 23 plement the residency program so that  
 24 classroom clinical practice is tightly  
 25 aligned with coursework;

1                   “(H) who shall have extra re-  
2                   sponsibilities as a teacher leader of  
3                   the teaching residency program, as a  
4                   mentor for residents, and as a teacher  
5                   coach during the induction program  
6                   for novice teachers, and for estab-  
7                   lishing, within the program, a learn-  
8                   ing community in which all individuals  
9                   are expected to continually improve  
10                  their capacity to advance student  
11                  learning; and

12                  “(III) who may have full relief  
13                  from teaching duties as a result of  
14                  such additional responsibilities.

15                  “(iv) The establishment of clear cri-  
16                  teria for the selection of mentor teachers  
17                  based on measures of teacher effectiveness  
18                  and the appropriate subject area knowl-  
19                  edge. Evaluation of teacher effectiveness  
20                  shall be based on observations of such do-  
21                  mains of teaching as the following:

22                         “(I) Planning and preparation;  
23                         including demonstrated knowledge of  
24                         content, pedagogy, and assessment;

1 including the use of formative assess-  
2 ments to improve student learning.

3 “(II) Appropriate instruction  
4 that engages students with different  
5 learning styles.

6 “(III) Collaboration with col-  
7 leagues to improve instruction.

8 “(IV) Analysis of gains in stu-  
9 dent learning, based on multiple  
10 measures, that, when feasible, may in-  
11 clude valid and reliable objective  
12 measures of the influence of teachers  
13 on the rate of student academic  
14 progress.

15 “(V) In the case of mentor can-  
16 didates who will be mentoring current  
17 or future literacy and mathematics  
18 coaches or instructors, appropriate  
19 skills in the essential components of  
20 reading instruction, teacher training  
21 in literacy instructional strategies  
22 across core subject areas, and teacher  
23 training in mathematics instructional  
24 strategies, as appropriate.

1 “(v) Grouping of teaching residents in  
2 cohorts to facilitate professional collabora-  
3 tion among such residents.

4 “(vi) The development of admissions  
5 goals and priorities aligned with the hiring  
6 objectives of the local educational agency  
7 partnering with the program, as well as  
8 the instructional initiatives and curriculum  
9 of the agency, in exchange for a commit-  
10 ment by the agency to hire graduates from  
11 the teaching residency program.

12 “(vii) Support for residents, once the  
13 teaching residents are hired as teachers of  
14 record, through an induction program, pro-  
15 fessional development, and networking op-  
16 portunities to support the residents  
17 through not less than the residents’ first 2  
18 years of teaching.

19 “(B) SELECTION OF INDIVIDUALS AS  
20 TEACHER RESIDENTS.—

21 “(i) ELIGIBLE INDIVIDUAL.—In order  
22 to be eligible to be a teacher resident in a  
23 teaching residency program under this  
24 paragraph, an individual shall—

1                   “(I) be a recent graduate of a 4-  
 2                   year institution of higher education or  
 3                   a mid-career professional from outside  
 4                   the field of education possessing  
 5                   strong content knowledge or a record  
 6                   of professional accomplishment; and

7                   “(II) submit an application to  
 8                   the teaching residency program.

9                   “(ii) ~~SELECTION CRITERIA.~~—An eligi-  
 10                  ble partnership carrying out a teaching  
 11                  residency program under this subpara-  
 12                  graph shall establish criteria for the selec-  
 13                  tion of eligible individuals to participate in  
 14                  the teaching residency program based on  
 15                  the following characteristics:

16                  “(I) Strong content knowledge or  
 17                  record of accomplishment in the field  
 18                  or subject area to be taught.

19                  “(II) Strong verbal and written  
 20                  communication skills, which may be  
 21                  demonstrated by performance on ap-  
 22                  propriate tests.

23                  “(III) Other attributes linked to  
 24                  effective teaching, which may be de-  
 25                  termined by interviews or performance

1                   assessments, as specified by the eligi-  
2                   ble partnership.

3                   ~~“(C) STIPEND AND SERVICE REQUIRE-~~  
4                   ~~MENT.—~~

5                   ~~“(i) STIPEND.—A teaching residency~~  
6                   ~~program under this paragraph shall pro-~~  
7                   ~~vide a 1-year living stipend or salary to~~  
8                   ~~teaching residents during the 1-year teach-~~  
9                   ~~ing residency program.~~

10                  ~~“(ii) SERVICE REQUIREMENT.—As a~~  
11                  ~~condition of receiving a stipend under this~~  
12                  ~~subparagraph, a teaching resident shall~~  
13                  ~~agree to teach in a high-need school served~~  
14                  ~~by the high-need local educational agency~~  
15                  ~~in the eligible partnership for a period of~~  
16                  ~~3 or more years after completing the 1-~~  
17                  ~~year teaching residency program.~~

18                  ~~“(iii) REPAYMENT.—If a teaching~~  
19                  ~~resident who received a stipend under this~~  
20                  ~~subparagraph does not complete the serv-~~  
21                  ~~ice requirement described in clause (ii),~~  
22                  ~~such individual shall repay to the high-~~  
23                  ~~need local educational agency a pro rata~~  
24                  ~~portion of the stipend amount for the~~



1           amount of teaching time that the indi-  
2           vidual did not complete.

3       ~~“(f) CONSULTATION.—~~

4           ~~“(1) IN GENERAL.—Members of an eligible~~  
5       ~~partnership that receives a grant under this section~~  
6       ~~shall engage in regular consultation throughout the~~  
7       ~~development and implementation of programs and~~  
8       ~~activities under this section.~~

9           ~~“(2) REGULAR COMMUNICATION.—To ensure~~  
10      ~~timely and meaningful consultation, regular commu-~~  
11      ~~nication shall occur among all members of the eligi-~~  
12      ~~ble partnership, including the high-need local edu-~~  
13      ~~cational agency. Such communication shall continue~~  
14      ~~throughout the implementation of the grant and the~~  
15      ~~assessment of programs and activities under this~~  
16      ~~section.~~

17          ~~“(3) WRITTEN CONSENT.—The Secretary may~~  
18      ~~approve changes in grant activities of a grant under~~  
19      ~~this section only if a written consent signed by all~~  
20      ~~members of the eligible partnership is submitted to~~  
21      ~~the Secretary.~~

22          ~~“(g) CONSTRUCTION.—Nothing in this section shall~~  
23      ~~be construed to prohibit an eligible partnership from using~~  
24      ~~grant funds to coordinate with the activities of eligible~~  
25      ~~partnerships in other States or on a regional basis through~~

1 Governors, State boards of education, State educational  
 2 agencies, State agencies responsible for early childhood  
 3 education, local educational agencies, or State agencies for  
 4 higher education.

5 “(h) SUPPLEMENT, NOT SUPPLANT.—Funds made  
 6 available under this section shall be used to supplement,  
 7 and not supplant, other Federal, State, and local funds  
 8 that would otherwise be expended to carry out activities  
 9 under this section.

10 **“SEC. 203. ADMINISTRATIVE PROVISIONS.**

11 “(a) DURATION; NUMBER OF AWARDS; PAY-  
 12 MENTS.—

13 “(1) DURATION.—A grant awarded under this  
 14 part shall be awarded for a period of 5 years.

15 “(2) NUMBER OF AWARDS.—An eligible part-  
 16 nership may not receive more than 1 grant during  
 17 a 5-year period. Nothing in this title shall be con-  
 18 strued to prohibit an individual member, that can  
 19 demonstrate need, of an eligible partnership that re-  
 20 ceives a grant under this title from entering into an-  
 21 other eligible partnership consisting of new members  
 22 and receiving a grant with such other eligible part-  
 23 nership before the 5-year period described in the  
 24 preceding sentence applicable to the eligible partner-

1 ship with which the individual member has first  
 2 partnered has expired.

3 ~~“(3) PAYMENTS.—~~The Secretary shall make  
 4 annual payments of grant funds awarded under this  
 5 part.

6 ~~“(b) PEER REVIEW.—~~

7 ~~“(1) PANEL.—~~The Secretary shall provide the  
 8 applications submitted under this part to a peer re-  
 9 view panel for evaluation. With respect to each ap-  
 10 plication, the peer review panel shall initially rec-  
 11 ommend the application for funding or for dis-  
 12 approval.

13 ~~“(2) PRIORITY.—~~In recommending applications  
 14 to the Secretary for funding under this part, the  
 15 panel shall give priority—

16 ~~“(A) to applications from broad-based eli-~~  
 17 ~~gible partnerships that involve businesses and~~  
 18 ~~community organizations; and~~

19 ~~“(B) to eligible partnerships so that the~~  
 20 ~~awards promote an equitable geographic dis-~~  
 21 ~~tribution of grants among rural and urban~~  
 22 ~~areas.~~

23 ~~“(3) SECRETARIAL SELECTION.—~~The Secretary  
 24 shall determine, based on the peer review process,  
 25 which applications shall receive funding and the

1 amounts of the grants. In determining the grant  
2 amount, the Secretary shall take into account the  
3 total amount of funds available for all grants under  
4 this part and the types of activities proposed to be  
5 carried out by the eligible partnership.

6 ~~“(c) MATCHING REQUIREMENTS.—~~

7 ~~“(1) IN GENERAL.—~~Each eligible partnership  
8 receiving a grant under this part shall provide, from  
9 non-Federal sources, an amount equal to 100 per-  
10 cent of the amount of the grant, which may be pro-  
11 vided in cash or in-kind, to carry out the activities  
12 supported by the grant.

13 ~~“(2) WAIVER.—~~The Secretary may waive all or  
14 part of the matching requirement described in para-  
15 graph (1) for any fiscal year for an eligible partner-  
16 ship, if the Secretary determines that applying the  
17 matching requirement to the eligible partnership  
18 would result in serious hardship or an inability to  
19 carry out the authorized activities described in this  
20 part.

21 ~~“(d) LIMITATION ON ADMINISTRATIVE EXPENSES.—~~

22 An eligible partnership that receives a grant under this  
23 part may use not more than 2 percent of the grant funds  
24 for purposes of administering the grant.

1 **~~“SEC. 204. ACCOUNTABILITY AND EVALUATION.~~**

2 ~~“(a) ELIGIBLE PARTNERSHIP EVALUATION.—Each~~  
3 ~~eligible partnership submitting an application for a grant~~  
4 ~~under this part shall establish and include in such applica-~~  
5 ~~tion, an evaluation plan that includes strong performance~~  
6 ~~objectives. The plan shall include objectives and measures~~  
7 ~~for increasing—~~

8 ~~“(1) student achievement for all students as~~  
9 ~~measured by the eligible partnership;~~

10 ~~“(2) teacher retention in the first 3 years of a~~  
11 ~~teacher’s career;~~

12 ~~“(3) improvement in the pass rates and scaled~~  
13 ~~scores for initial State certification or licensure of~~  
14 ~~teachers; and~~

15 ~~“(4)(A) the percentage of highly qualified~~  
16 ~~teachers hired by the high-need local educational~~  
17 ~~agency participating in the eligible partnership;~~

18 ~~“(B) the percentage of such teachers who are~~  
19 ~~members of under represented groups;~~

20 ~~“(C) the percentage of such teachers who teach~~  
21 ~~high-need academic subject areas (such as reading,~~  
22 ~~mathematics, science, and foreign language, includ-~~  
23 ~~ing less commonly taught languages and critical for-~~  
24 ~~ign languages);~~

25 ~~“(D) the percentage of such teachers who teach~~  
26 ~~in high-need areas (including special education, lan-~~

1        guage instruction educational programs for limited  
 2        English proficient students, and early childhood edu-  
 3        cation);

4            “(E) the percentage of such teachers in high-  
 5        need schools, disaggregated by the elementary, mid-  
 6        dle, and high school levels; and

7            “(F) as applicable, the percentage of early  
 8        childhood education program classes in the geo-  
 9        graphic area served by the eligible partnership  
 10       taught by early childhood educators who are highly  
 11       competent.

12        “(b) INFORMATION.—An eligible partnership receiv-  
 13       ing a grant under this part shall ensure that teachers,  
 14       principals, school superintendents, and faculty and leader-  
 15       ship at institutions of higher education located in the geo-  
 16       graphic areas served by the eligible partnership under this  
 17       part are provided information about the activities carried  
 18       out with funds under this part, including through elec-  
 19       tronic means.

20        “(c) REVOCATION OF GRANT.—If the Secretary de-  
 21       termines that an eligible partnership receiving a grant  
 22       under this part is not making substantial progress in  
 23       meeting the purposes, goals, objectives, and measures, as  
 24       appropriate, of the grant by the end of the third year of  
 25       a grant under this part, then the Secretary shall require

1 such eligible partnership to submit a revised application  
 2 that identifies the steps the partnership will take to make  
 3 substantial progress to meet the purposes, goals, objec-  
 4 tives, and measures, as appropriate, of this part.

5       “(d) EVALUATION AND DISSEMINATION.—The Sec-  
 6 retary shall evaluate the activities funded under this part  
 7 and report the Secretary’s findings regarding the activities  
 8 to the authorizing committees. The Secretary shall broadly  
 9 disseminate—

10           “(1) successful practices developed by eligible  
 11 partnerships under this part; and

12           “(2) information regarding such practices that  
 13 were found to be ineffective.

14 **“SEC. 205. ACCOUNTABILITY FOR PROGRAMS THAT PRE-**  
 15 **PARE TEACHERS.**

16       “(a) INSTITUTIONAL AND PROGRAM REPORT CARDS  
 17 ON THE QUALITY OF TEACHER PREPARATION.—

18           “(1) REPORT CARD.—Each institution of higher  
 19 education that conducts a traditional teacher prepa-  
 20 ration program or alternative routes to State certifi-  
 21 cation or licensure program and that enrolls stu-  
 22 dents receiving Federal assistance under this Act  
 23 shall report annually to the State and the general  
 24 public, in a uniform and comprehensible manner  
 25 that conforms with the definitions and methods es-

1        tablished by the Secretary, both for traditional  
 2        teacher preparation programs and alternative routes  
 3        to State certification or licensure programs; the fol-  
 4        lowing information:

5                “(A) PASS RATES AND SCALED SCORES.—

6                For the most recent year for which the informa-  
 7                tion is available for those students who took the  
 8                assessments and are enrolled in the traditional  
 9                teacher preparation program or alternative  
 10              routes to State certification or licensure pro-  
 11              gram, and for those who have taken the assess-  
 12              ments and have completed the traditional teach-  
 13              er preparation program or alternative routes to  
 14              State certification or licensure program during  
 15              the 2-year period preceding such year, for each  
 16              of the assessments used for teacher certification  
 17              or licensure by the State in which the program  
 18              is located—

19              “(i) the percentage of students who  
 20              have completed 100 percent of the nonclin-  
 21              ical coursework and taken the assessment  
 22              who pass such assessment;

23              “(ii) the percentage of all such stu-  
 24              dents who passed each such assessment;



1           “(iii) the percentage of students tak-  
2           ing an assessment who completed the  
3           teacher preparation program after enroll-  
4           ing in the program, which shall be made  
5           available widely and publicly by the State;

6           “(iv) the average scaled score for all  
7           students who took each such assessment;

8           “(v) a comparison of the program’s  
9           pass rates with the average pass rates for  
10          programs in the State; and

11          “(vi) a comparison of the program’s  
12          average scaled scores with the average  
13          scaled scores for programs in the State.

14          “(B) PROGRAM INFORMATION.—The cri-  
15          teria for admission into the program, the num-  
16          ber of students in the program (disaggregated  
17          by race and gender), the average number of  
18          hours of supervised clinical experience required  
19          for those in the program, the number of full-  
20          time equivalent faculty and students in the su-  
21          pervised clinical experience, and the total num-  
22          ber of students who have been certified or li-  
23          censed as teachers, disaggregated by subject  
24          and area of certification or licensure.

1           “(C) STATEMENT.—In States that require  
2           approval or accreditation of teacher preparation  
3           programs, a statement of whether the institu-  
4           tion’s program is so approved or accredited,  
5           and by whom.

6           “(D) DESIGNATION AS LOW-PER-  
7           FORMING.—Whether the program has been des-  
8           ignated as low-performing by the State under  
9           section 207(a).

10          “(E) USE OF TECHNOLOGY.—A descrip-  
11          tion of the activities that prepare teachers to ef-  
12          fectively integrate technology into curricula and  
13          instruction and effectively use technology to col-  
14          lect, manage, and analyze data in order to im-  
15          prove teaching, learning, and decisionmaking  
16          for the purpose of increasing student academic  
17          achievement.

18          “(2) REPORT.—Each eligible partnership re-  
19          ceiving a grant under section 202 shall report annu-  
20          ally on the progress of the eligible partnership to-  
21          ward meeting the purposes of this part and the ob-  
22          jectives and measures described in section 204(a).

23          “(3) FINES.—The Secretary may impose a fine  
24          not to exceed \$25,000 on an institution of higher  
25          education for failure to provide the information de-

1       scribed in this subsection in a timely or accurate  
2       manner.

3               “(4) SPECIAL RULE.—In the case of an institu-  
4       tion of higher education that conducts a traditional  
5       teacher preparation program or alternative routes to  
6       State certification or licensure program and has  
7       fewer than 10 scores reported on any single initial  
8       teacher certification or licensure assessment during  
9       an academic year, the institution shall collect and  
10      publish information, as required under paragraph  
11      (1)(A), with respect to an average pass rate and  
12      scaled score on each State certification or licensure  
13      assessment taken over a 3-year period.

14      “(b) STATE REPORT CARD ON THE QUALITY OF  
15      TEACHER PREPARATION.—

16              “(1) IN GENERAL.—Each State that receives  
17      funds under this Act shall provide to the Secretary,  
18      annually, in a uniform and comprehensible manner  
19      that conforms with the definitions and methods es-  
20      tablished by the Secretary, a State report card on  
21      the quality of teacher preparation in the State, both  
22      for traditional teacher preparation programs and for  
23      alternative routes to State certification or licensure  
24      programs, which shall include not less than the fol-  
25      lowing:

1           “(A) A description of reliability and valid-  
2           ity of the teacher certification and licensure as-  
3           sessments, and any other certification and licen-  
4           sure requirements, used by the State.

5           “(B) The standards and criteria that pro-  
6           spective teachers must meet in order to attain  
7           initial teacher certification or licensure and to  
8           be certified or licensed to teach particular aca-  
9           demic subject areas or in particular grades  
10          within the State.

11          “(C) A description of how the assessments  
12          and requirements described in subparagraph  
13          (A) are aligned with the State’s challenging  
14          academic content standards required under sec-  
15          tion 1111(b)(1) of the Elementary and Sec-  
16          ondary Education Act of 1965 and State early  
17          learning standards for early childhood education  
18          programs.

19          “(D) For each of the assessments used by  
20          the State for teacher certification or licensure—

21               “(i) for each institution of higher edu-  
22               cation located in the State and each entity  
23               located in the State that offers an alter-  
24               native route for teacher certification or li-  
25               censure, the percentage of students at such

1 institution or entity who have completed  
2 100 percent of the nonclinical coursework  
3 and taken the assessment who pass such  
4 assessment;

5 “(ii) the percentage of all such stu-  
6 dents at all such institutions taking the as-  
7 sessment who pass such assessment; and

8 “(iii) the percentage of students tak-  
9 ing an assessment who completed the  
10 teacher preparation program after enroll-  
11 ing in the program, which shall be made  
12 available widely and publicly by the State.

13 “(E) A description of alternative routes to  
14 State certification or licensure in the State (in-  
15 cluding any such routes operated by entities  
16 that are not institutions of higher education); if  
17 any, including, for each of the assessments used  
18 by the State for teacher certification or licen-  
19 sure—

20 “(i) the percentage of individuals par-  
21 ticipating in such routes, or who have com-  
22 pleted such routes during the 2-year period  
23 preceding the date of the determination,  
24 who passed each such assessment; and

1                   “(ii) the average scaled score of indi-  
2                   viduals participating in such routes, or who  
3                   have completed such routes during the pe-  
4                   riod preceding the date of the determina-  
5                   tion, who took each such assessment.

6                   “(F) A description of the State’s criteria  
7                   for assessing the performance of teacher prepa-  
8                   ration programs within institutions of higher  
9                   education in the State. Such criteria shall in-  
10                  clude indicators of the academic content knowl-  
11                  edge and teaching skills of students enrolled in  
12                  such programs.

13                  “(G) For each teacher preparation pro-  
14                  gram in the State, the criteria for admission  
15                  into the program, the number of students in the  
16                  program, disaggregated by race and gender (ex-  
17                  cept that such disaggregation shall not be re-  
18                  quired in a case in which the number of stu-  
19                  dents in a category is insufficient to yield sta-  
20                  tistically reliable information or the results  
21                  would reveal personally identifiable information  
22                  about an individual student); the average num-  
23                  ber of hours of supervised clinical experience re-  
24                  quired for those in the program, and the num-  
25                  ber of full-time equivalent faculty, adjunct fac-

ulty, and students in supervised clinical experience.

“(H) For the State as a whole, and for each teacher preparation program in the State, the number of teachers prepared, in the aggregate and reported separately by—

“(i) area of certification or licensure;

“(ii) academic major; and

“(iii) subject area for which the teacher has been prepared to teach.

“(I) Using the data generated under subparagraphs (G) and (H), a description of the extent to which teacher preparation programs are helping to address shortages of highly qualified teachers, by area of certification or licensure, subject, and specialty, in the State’s public schools.

“(J) A description of the activities that prepare teachers to effectively integrate technology into curricula and instruction and effectively use technology to collect, manage, and analyze data in order to improve teaching, learning, and decisionmaking for the purpose of increasing student academic achievement.

1           “(2) PROHIBITION AGAINST CREATING A NA-  
 2           TIONAL LIST.—The Secretary shall not create a na-  
 3           tional list or ranking of States, institutions, or  
 4           schools using the scaled scores provided under this  
 5           subsection.

6           “(c) REPORT OF THE SECRETARY ON THE QUALITY  
 7           OF TEACHER PREPARATION.—

8           “(1) REPORT CARD.—The Secretary shall pro-  
 9           vide to Congress, and publish and make widely avail-  
 10          able, a report card on teacher qualifications and  
 11          preparation in the United States, including all the  
 12          information reported in subparagraphs (A) through  
 13          (J) of subsection (b)(1). Such report shall identify  
 14          States for which eligible partnerships received a  
 15          grant under this part. Such report shall be so pro-  
 16          vided, published, and made available annually.

17          “(2) REPORT TO CONGRESS.—The Secretary  
 18          shall prepare and submit a report to Congress that  
 19          contains the following:

20                 “(A) A comparison of States’ efforts to im-  
 21                 prove the quality of the current and future  
 22                 teaching force.

23                 “(B) A comparison of eligible partnerships’  
 24                 efforts to improve the quality of the current  
 25                 and future teaching force.



1           “(C) The national mean and median scaled  
2           scores and pass rate on any standardized test  
3           that is used in more than 1 State for teacher  
4           certification or licensure.

5           “(3) SPECIAL RULE.—In the case of a teacher  
6           preparation program with fewer than 10 scores re-  
7           ported on any single initial teacher certification or li-  
8           censure assessment during an academic year, the  
9           Secretary shall collect and publish information, and  
10          make publicly available, with respect to an average  
11          pass rate and scaled score on each State certification  
12          or licensure assessment taken over a 3-year period.

13          “(d) COORDINATION.—The Secretary, to the extent  
14          practicable, shall coordinate the information collected and  
15          published under this part among States for individuals  
16          who took State teacher certification or licensure assess-  
17          ments in a State other than the State in which the indi-  
18          vidual received the individual’s most recent degree.

19       **“SEC. 206. STATE FUNCTIONS.**

20          “(a) STATE ASSESSMENT.—In order to receive funds  
21          under this Act, a State shall have in place a procedure  
22          to identify and assist, through the provision of technical  
23          assistance, low-performing programs of teacher prepara-  
24          tion. Such State shall provide the Secretary an annual list  
25          of such low-performing teacher preparation programs that

1 includes an identification of those programs at risk of  
 2 being placed on such list. Such levels of performance shall  
 3 be determined solely by the State and may include criteria  
 4 based on information collected pursuant to this part. Such  
 5 assessment shall be described in the report under section  
 6 205(b).

7       “(b) TERMINATION OF ELIGIBILITY.—Any program  
 8 of teacher preparation from which the State has with-  
 9 drawn the State’s approval, or terminated the State’s fi-  
 10 nancial support, due to the low performance of the pro-  
 11 gram based upon the State assessment described in sub-  
 12 section (a)—

13               “(1) shall be ineligible for any funding for pro-  
 14 fessional development activities awarded by the De-  
 15 partment;

16               “(2) shall not be permitted to accept or enroll  
 17 any student that receives aid under title IV in the  
 18 institution’s teacher preparation program; and

19               “(3) shall provide transitional support, includ-  
 20 ing remedial services if necessary, for students en-  
 21 rolled at the institution at the time of termination  
 22 of financial support or withdrawal of approval.

23       “(c) NEGOTIATED RULEMAKING.—If the Secretary  
 24 develops any regulations implementing subsection (b)(2),  
 25 the Secretary shall submit such proposed regulations to

1 a negotiated rulemaking process, which shall include rep-  
 2 resentatives of States, institutions of higher education,  
 3 and educational and student organizations.

4 “(d) APPLICATION OF THE REQUIREMENTS.—The  
 5 requirements of this section shall apply to both traditional  
 6 teacher preparation programs and alternative routes to  
 7 State certification and licensure programs.

8 **“SEC. 207. GENERAL PROVISIONS.**

9 “(a) METHODS.—In complying with sections 205 and  
 10 206, the Secretary shall ensure that States and institu-  
 11 tions of higher education use fair and equitable methods  
 12 in reporting and that the reporting methods do not allow  
 13 identification of individuals.

14 “(b) SPECIAL RULE.—For each State that does not  
 15 use content assessments as a means of ensuring that all  
 16 teachers teaching in core academic subjects within the  
 17 State are highly qualified, as required under section 1119  
 18 of the Elementary and Secondary Education Act of 1965  
 19 and in accordance with the State plan submitted or revised  
 20 under section 1111 of such Act, and that each person em-  
 21 ployed as a special education teacher in the State who  
 22 teaches elementary school, middle school, or secondary  
 23 school is highly qualified by the deadline, as required  
 24 under section 612(a)(14)(C) of the Individuals with Dis-  
 25 abilities Education Act—

1           “(1) the Secretary shall, to the extent prac-  
 2           ticable, collect data comparable to the data required  
 3           under this part from States, local educational agen-  
 4           cies, institutions of higher education, or other enti-  
 5           ties that administer such assessments to teachers or  
 6           prospective teachers; and

7           “(2) notwithstanding any other provision of this  
 8           part, the Secretary shall use such data to carry out  
 9           requirements of this part related to assessments,  
 10          pass rates, and scaled scores.

11          “(c) RELEASE OF INFORMATION TO TEACHER PREP-  
 12          ARATION PROGRAMS.—

13           “(1) IN GENERAL.—For the purpose of improv-  
 14           ing teacher preparation programs, a State edu-  
 15           cational agency that receives funds under this Act,  
 16           or that participates as a member of a partnership,  
 17           consortium, or other entity that receives such funds,  
 18           shall provide to a teacher preparation program, upon  
 19           the request of the teacher preparation program, any  
 20           and all pertinent education-related information  
 21           that—

22           “(A) may enable the teacher preparation  
 23           program to evaluate the effectiveness of the  
 24           program’s graduates or the program itself; and

1           “(B) is possessed, controlled, or accessible  
2           by the State educational agency.

3           “(2) CONTENT OF INFORMATION.—The infor-  
4           mation described in paragraph (1)—

5           “(A) shall include an identification of spe-  
6           cific individuals who graduated from the teach-  
7           er preparation program to enable the teacher  
8           preparation program to evaluate the informa-  
9           tion provided to the program from the State  
10          educational agency with the program’s own  
11          data about the specific courses taken by, and  
12          field experiences of, the individual graduates;  
13          and

14          “(B) may include—

15               “(i) kindergarten through grade 12  
16               academic achievement and demographic  
17               data, without revealing personally identifi-  
18               able information about an individual stu-  
19               dent, for students who have been taught by  
20               graduates of the teacher preparation pro-  
21               gram; and

22               “(ii) teacher effectiveness evaluations  
23               for teachers who graduated from the teach-  
24               er preparation program.

1 **~~“SEC. 208. AUTHORIZATION OF APPROPRIATIONS.~~**

2 ~~“There are authorized to be appropriated to carry out~~  
 3 ~~this part such sums as may be necessary for fiscal year~~  
 4 ~~2008 and each of the 5 succeeding fiscal years.”.~~

5 **~~SEC. 202. GENERAL PROVISIONS.~~**

6 Title II (20 U.S.C. 1021 et seq.) is amended by add-  
 7 ing at the end the following:

8 **~~“PART C—GENERAL PROVISIONS~~**

9 **~~“SEC. 231. LIMITATIONS.~~**

10 ~~“(a) FEDERAL CONTROL PROHIBITED.—Nothing in~~  
 11 ~~this title shall be construed to permit, allow, encourage,~~  
 12 ~~or authorize any Federal control over any aspect of any~~  
 13 ~~private, religious, or home school, whether or not a home~~  
 14 ~~school is treated as a private school or home school under~~  
 15 ~~State law. This section shall not be construed to prohibit~~  
 16 ~~private, religious, or home schools from participation in~~  
 17 ~~programs or services under this title.~~

18 ~~“(b) NO CHANGE IN STATE CONTROL ENCOURAGED~~  
 19 ~~OR REQUIRED.—Nothing in this title shall be construed~~  
 20 ~~to encourage or require any change in a State’s treatment~~  
 21 ~~of any private, religious, or home school, whether or not~~  
 22 ~~a home school is treated as a private school or home school~~  
 23 ~~under State law.~~

24 ~~“(c) NATIONAL SYSTEM OF TEACHER CERTIFI-~~  
 25 ~~CATION OR LICENSURE PROHIBITED.—Nothing in this~~  
 26 ~~title shall be construed to permit, allow, encourage, or au-~~

1 authorize the Secretary to establish or support any national  
 2 system of teacher certification or licensure.”.

### 3 **TITLE III—INSTITUTIONAL AID**

#### 4 **SEC. 301. PROGRAM PURPOSE.**

5 Section 311 (20 U.S.C. 1057) is amended—

6 (1) in subsection (b)—

7 (A) in paragraph (1), by striking “351”  
 8 and inserting “391”; and

9 (B) in paragraph (3)(F), by inserting “,  
 10 including services that will assist in the edu-  
 11 cation of special populations” before the period;  
 12 and

13 (2) in subsection (c)—

14 (A) in paragraph (6), by inserting “, in-  
 15 cluding innovative, customized, remedial edu-  
 16 cation and English language instruction courses  
 17 designed to help retain students and move the  
 18 students rapidly into core courses and through  
 19 program completion” before the period;

20 (B) by redesignating paragraphs (7)  
 21 through (12) as paragraphs (8) through (13),  
 22 respectively;

23 (C) by inserting after paragraph (6) the  
 24 following:

1           “(7) Education or counseling services designed  
2           to improve the financial literacy and economic lit-  
3           eracy of students or the students’ parents.”;

4           (D) in paragraph (12) (as redesignated by  
5           subparagraph (B)), by striking “distance learn-  
6           ing academic instruction capabilities” and in-  
7           serting “distance education technologies”; and

8           (E) in the matter preceding subparagraph  
9           (A) of paragraph (13) (as redesignated by sub-  
10          paragraph (B)), by striking “subsection (c)”  
11          and inserting “subsection (b) and section 391”.

12 **SEC. 302. DEFINITIONS; ELIGIBILITY.**

13          Section 312 (20 U.S.C. 1058) is amended—

14          (1) in subsection (b)(1)(A), by striking “sub-  
15          section (c) of this section” and inserting “subsection  
16          (d)”; and

17          (2) in subsection (d)(2), by striking “subdivi-  
18          sion” and inserting “paragraph”.

19 **SEC. 303. AMERICAN INDIAN TRIBALLY CONTROLLED COL-**  
20 **LEGES AND UNIVERSITIES.**

21          Section 316 (20 U.S.C. 1059e) is amended—

22          (1) by striking subsection (b)(3) and inserting  
23          the following:



1           “(3) TRIBAL COLLEGE OR UNIVERSITY.—The  
2           term ‘Tribal College or University’ means an institu-  
3           tion that—

4                   “(A) qualifies for funding under the Trib-  
5                   ally Controlled College or University Assistance  
6                   Act of 1978 (25 U.S.C. 1801 et seq.) or the  
7                   Navajo Community College Assistance Act of  
8                   1978 (25 U.S.C. 640a note); or

9                   “(B) is cited in section 532 of the Equity  
10                  in Educational Land-Grant Status Act of 1994  
11                  (7 U.S.C. 301 note).”;

12                ~~(2) in subsection (c)(2)—~~

13                (A) in subparagraph (B), by inserting be-  
14                fore the semicolon at the end the following:  
15                “and the acquisition of real property adjacent  
16                to the campus of the institution”;

17                (B) by redesignating subparagraphs (G),  
18                (H), (I), (J), (K), and (L) as subparagraphs  
19                (H), (I), (J), (K), (L), and (N), respectively;

20                (C) by inserting after subparagraph (F)  
21                the following:

22                   “(G) education or counseling services de-  
23                   signed to improve the financial literacy and eco-  
24                   nomic literacy of students or the students’ par-  
25                   ents.”;

1           ~~(D)~~ in subparagraph (L) (as redesignated  
2           by subparagraph (B)), by striking “and” after  
3           the semicolon;

4           ~~(E)~~ by inserting after subparagraph (L)  
5           (as redesignated by subparagraph (B)) the fol-  
6           lowing:

7           “~~(M)~~ developing or improving facilities for  
8           Internet use or other distance education tech-  
9           nologies; and”; and

10          ~~(F)~~ in subparagraph (N) (as redesignated  
11          by subparagraph (B)), by striking “subpara-  
12          graphs (A) through (K)” and inserting “sub-  
13          paragraphs (A) through (M)”; and

14          ~~(3)~~ by striking subsection (d) and inserting the  
15          following:

16          “~~(d)~~ APPLICATION, PLAN, AND ALLOCATION.—

17               “~~(1)~~ INSTITUTIONAL ELIGIBILITY.—To be eligi-  
18          ble to receive assistance under this section, a Tribal  
19          College or University shall be an eligible institution  
20          under section 312(b).

21               “~~(2)~~ APPLICATION.—

22                   “~~(A)~~ IN GENERAL.—A Tribal College or  
23          University desiring to receive assistance under  
24          this section shall submit an application to the

Secretary at such time, and in such manner, as the Secretary may reasonably require.

“(B) STREAMLINED PROCESS.—The Secretary shall establish application requirements in such a manner as to simplify and streamline the process for applying for grants.

“(3) ALLOCATIONS TO INSTITUTIONS.—

“(A) CONSTRUCTION GRANTS.—

“(i) IN GENERAL.—Of the amount appropriated to carry out this section for any fiscal year, the Secretary may reserve 30 percent for the purpose of awarding 1-year grants of not less than \$1,000,000 to address construction, maintenance, and renovation needs at eligible institutions.

“(ii) PREFERENCE.—In providing grants under clause (i), the Secretary shall give preference to eligible institutions that have not yet received an award under this section.

“(B) ALLOTMENT OF REMAINING FUNDS.—

“(i) IN GENERAL.—Except as provided in clause (ii), the Secretary shall distribute the remaining funds appropriated

for any fiscal year to each eligible institution as follows:

“(I) 60 percent of the remaining appropriated funds shall be distributed among the eligible Tribal Colleges and Universities on a pro rata basis, based on the respective Indian student counts (as defined in section 2(a) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801(a)) of the Tribal Colleges and Universities; and

“(II) the remaining 40 percent shall be distributed in equal shares to the eligible Tribal Colleges and Universities.

“(ii) MINIMUM GRANT.—The amount distributed to a Tribal College or University under clause (i) shall not be less than \$500,000.

“(4) SPECIAL RULES.—

“(A) CONCURRENT FUNDING.—For the purposes of this part, no Tribal College or University that is eligible for and receives funds under this section shall concurrently receive

funds under other provisions of this part or  
part B:

“(B) ~~EXEMPTION.~~—Section 313(d) shall  
not apply to institutions that are eligible to re-  
ceive funds under this section.”.

**SEC. 304. ALASKA NATIVE AND NATIVE HAWAIIAN-SERVING  
INSTITUTIONS.**

Section 317(c)(2) (20 U.S.C. 1059d(c)(2)) is amend-  
ed—

(1) in subparagraph (G), by striking “and”  
after the semicolon;

(2) in subparagraph (H), by striking the period  
and inserting “; and”; and

(3) by adding at the end the following:

“(I) education or counseling services de-  
signed to improve the financial literacy and eco-  
nomic literacy of students or the students’ par-  
ents.”.

**SEC. 305. NATIVE AMERICAN-SERVING, NONTRIBAL INSTI-  
TUTIONS.**

(a) ~~GRANT PROGRAM AUTHORIZED.~~—Part A of title  
III (20 U.S.C. 1057 et seq.) is amended by adding at the  
end the following:

1 ~~“SEC. 318. NATIVE AMERICAN-SERVING, NONTRIBAL INSTI-~~  
 2 ~~TUTIONS.~~

3 ~~“(a) PROGRAM AUTHORIZED.—The Secretary shall~~  
 4 ~~provide grants and related assistance to Native American-~~  
 5 ~~serving, nontribal institutions to enable such institutions~~  
 6 ~~to improve and expand their capacity to serve Native~~  
 7 ~~Americans.~~

8 ~~“(b) DEFINITIONS.—In this section:~~

9 ~~“(1) NATIVE AMERICAN.—The term ‘Native~~  
 10 ~~American’ means an individual who is of a tribe,~~  
 11 ~~people, or culture that is indigenous to the United~~  
 12 ~~States.~~

13 ~~“(2) NATIVE AMERICAN-SERVING, NONTRIBAL~~  
 14 ~~INSTITUTION.—The term ‘Native American-serving,~~  
 15 ~~nontribal institution’ means an institution of higher~~  
 16 ~~education that, at the time of application—~~

17 ~~“(A) has an enrollment of undergraduate~~  
 18 ~~students that is not less than 10 percent Native~~  
 19 ~~American students; and~~

20 ~~“(B) is not a Tribal College or University~~  
 21 ~~(as defined in section 316).~~

22 ~~“(c) AUTHORIZED ACTIVITIES.—~~

23 ~~“(1) TYPES OF ACTIVITIES AUTHORIZED.—~~  
 24 ~~Grants awarded under this section shall be used by~~  
 25 ~~Native American-serving, nontribal institutions to~~  
 26 ~~assist such institutions to plan, develop, undertake,~~

1 and carry out activities to improve and expand such  
2 institutions' capacity to serve Native Americans.

3 ~~“(2) EXAMPLES OF AUTHORIZED ACTIVITIES.—~~

4 Such programs may include—

5 “(A) the purchase, rental, or lease of sci-  
6 entific or laboratory equipment for educational  
7 purposes, including instructional and research  
8 purposes;

9 “(B) renovation and improvement in class-  
10 room, library, laboratory, and other instruc-  
11 tional facilities;

12 “(C) support of faculty exchanges, and fac-  
13 ulty development and faculty fellowships to as-  
14 sist faculty in attaining advanced degrees in the  
15 faculty's field of instruction;

16 “(D) curriculum development and aca-  
17 demic instruction;

18 “(E) the purchase of library books, peri-  
19 odicals, microfilm, and other educational mate-  
20 rials;

21 “(F) funds and administrative manage-  
22 ment, and acquisition of equipment for use in  
23 strengthening funds management;

24 “(G) the joint use of facilities such as lab-  
25 oratories and libraries; and

1           “(H) academic tutoring and counseling  
2           programs and student support services.

3           ~~“(d) APPLICATION PROCESS.—~~

4           ~~“(1) INSTITUTIONAL ELIGIBILITY.—A Native~~  
5           ~~American-serving, nontribal institution desiring to~~  
6           ~~receive assistance under this section shall submit to~~  
7           ~~the Secretary such enrollment data as may be nec-~~  
8           ~~essary to demonstrate that the institution is a Na-~~  
9           ~~tive American-serving, nontribal institution, along~~  
10          ~~with such other information and data as the Sec-~~  
11          ~~retary may by regulation require.~~

12          ~~“(2) APPLICATIONS.—~~

13          ~~“(A) PERMISSION TO SUBMIT APPLICA-~~  
14          ~~TIONS.—Any institution that is determined by~~  
15          ~~the Secretary to be a Native American-serving,~~  
16          ~~nontribal institution may submit an application~~  
17          ~~for assistance under this section to the Sec-~~  
18          ~~retary.~~

19          ~~“(B) SIMPLIFIED AND STREAMLINED FOR-~~  
20          ~~MAT.—The Secretary shall, to the extent pos-~~  
21          ~~sible, prescribe a simplified and streamlined for-~~  
22          ~~mat for applications under this section that~~  
23          ~~takes into account the limited number of insti-~~  
24          ~~tutions that are eligible for assistance under~~  
25          ~~this section.~~



1           ~~“(C) CONTENT.—~~An application submitted  
2           under subparagraph (A) shall include—

3                   ~~“(i) a 5-year plan for improving the~~  
4                   assistance provided by the Native Amer-  
5                   ican-serving, nontribal institution to Native  
6                   Americans; and

7                   ~~“(ii) such other information and as-~~  
8                   surances as the Secretary may require.

9           ~~“(3) SPECIAL RULES.—~~

10           ~~“(A) ELIGIBILITY.—~~No Native American-  
11           serving, nontribal institution that receives funds  
12           under this section shall concurrently receive  
13           funds under other provisions of this part or  
14           part B.

15           ~~“(B) EXEMPTION.—~~Section 313(d) shall  
16           not apply to institutions that are eligible to re-  
17           ceive funds under this section.

18           ~~“(C) DISTRIBUTION.—~~In awarding grants  
19           under this section, the Secretary shall, to the  
20           extent possible and consistent with the competi-  
21           tive process under which such grants are  
22           awarded, ensure maximum and equitable dis-  
23           tribution among all eligible institutions.”.

1       (b) MINIMUM GRANT AMOUNT.—Section 399 (20  
2 U.S.C. 1068h) is amended by adding at the end the fol-  
3 lowing:

4       “(c) MINIMUM GRANT AMOUNT.—The minimum  
5 amount of a grant under this title shall be \$200,000.”.

6 **SEC. 306. PART B DEFINITIONS.**

7       Section 322(4) (20 U.S.C. 1061(4)) is amended by  
8 inserting “, in consultation with the Commissioner for  
9 Education Statistics” before “and the Commissioner”.

10 **SEC. 307. GRANTS TO INSTITUTIONS.**

11       Section 323(a) (20 U.S.C. 1062(a)) is amended—

12           (1) in the matter preceding paragraph (1), by  
13 striking “360(a)(2)” and inserting “399(a)(2)”;

14           (2) by redesignating paragraphs (7) through  
15 (12) as paragraphs (8) through (13), respectively;  
16 and

17           (3) by inserting after paragraph (6) the fol-  
18 lowing:

19           “(7) Education or counseling services designed  
20 to improve the financial literacy and economic lit-  
21 eracy of students or the students’ parents.”.

22 **SEC. 308. ALLOTMENTS TO INSTITUTIONS.**

23       Section 324 (20 U.S.C. 1063) is amended by adding  
24 at the end the following:

1       “(h) SPECIAL RULE ON ELIGIBILITY.—Notwith-  
 2 standing any other provision of this section, a part B insti-  
 3 tution shall not receive an allotment under this section un-  
 4 less the part B institution provides, on an annual basis,  
 5 data indicating that the part B institution—

6               “(1) enrolled Federal Pell Grant recipients in  
 7 the preceding academic year;

8               “(2) in the preceding academic year, has grad-  
 9 uated students from a program of academic study  
 10 that is licensed or accredited by a nationally recog-  
 11 nized accrediting agency or association recognized by  
 12 the Secretary pursuant to part H of title IV where  
 13 appropriate; and

14               “(3) where appropriate, has graduated students  
 15 who, within the past 5 years, enrolled in graduate or  
 16 professional school.”.

17 **SEC. 309. PROFESSIONAL OR GRADUATE INSTITUTIONS.**

18 Section 326 (20 U.S.C. 1063b) is amended—

19               (1) in subsection (c)—

20                       (A) in paragraph (2), by inserting “, and  
 21 for the acquisition and development of real  
 22 property that is adjacent to the campus for  
 23 such construction, maintenance, renovation, or  
 24 improvement” after “services”;

1           (B) by redesignating paragraphs (5)  
2           through (7) as paragraphs (7) through (9), re-  
3           spectively;

4           (C) by inserting after paragraph (4) the  
5           following:

6           “(5) tutoring, counseling, and student service  
7           programs designed to improve academic success;

8           “(6) education or counseling services designed  
9           to improve the financial literacy and economic lit-  
10          eracy of students or the students’ parents;”;

11          (D) in paragraph (7) (as redesignated by  
12          subparagraph (B)), by striking “establish or  
13          improve” and inserting “establishing or improv-  
14          ing”;

15          (E) in paragraph (8) (as redesignated by  
16          subparagraph (B))—

17               (i) by striking “assist” and inserting  
18               “assisting”; and

19               (ii) by striking “and” after the semi-  
20               colon;

21          (F) in paragraph (9) (as redesignated by  
22          subparagraph (B)), by striking the period and  
23          inserting “; and”; and

24          (G) by adding at the end the following:

1           ~~“(10) other activities proposed in the applica-~~  
 2           ~~tion submitted under subsection (d) that—~~

3                     ~~“(A) contribute to carrying out the pur-~~  
 4                     ~~poses of this part; and~~

5                     ~~“(B) are approved by the Secretary as part~~  
 6                     ~~of the review and acceptance of such applica-~~  
 7                     ~~tion.”;~~

8           ~~(2) in subsection (c)—~~

9                     ~~(A) in paragraph (1)—~~

10                    ~~(i) by inserting a colon after “the fol-~~  
 11                    ~~lowing”;~~

12                    ~~(ii) in subparagraph (Q), by striking~~  
 13                    ~~“and” at the end;~~

14                    ~~(iii) in subparagraph (R), by striking~~  
 15                    ~~the period and inserting a semicolon; and~~

16                    ~~(iv) by adding at the end the fol-~~  
 17                    ~~lowing:~~

18                    ~~“(S) Alabama State University qualified~~  
 19                    ~~graduate program;~~

20                    ~~“(T) Coppin State University qualified~~  
 21                    ~~graduate program;~~

22                    ~~“(U) Prairie View A & M University quali-~~  
 23                    ~~fied graduate program;~~

24                    ~~“(V) Fayetteville State University qualified~~  
 25                    ~~graduate program;~~

1           “(W) Delaware State University qualified  
2 graduate program;

3           “(X) Langston University qualified grad-  
4 uate program; and

5           “(Y) West Virginia State University quali-  
6 fied graduate program.”;

7           (B) in paragraph (2)(A)—

8               (i) by inserting “in law or” after “in-  
9 struction”; and

10               (ii) by striking “mathematics, or” and  
11 inserting “mathematics, psychometrics,  
12 or”;

13           (C) in paragraph (3)—

14               (i) by striking “1998” and inserting  
15 “2007”; and

16               (ii) by striking “(Q) and (R)” and in-  
17 serting “(S), (T), (U), (V), (W), (X), and  
18 (Y)”;

19           (3) in subsection (f)—

20               (A) in paragraph (1), by striking “(P)”  
21 and inserting “(R)”;

22               (B) in paragraph (2), by striking “(Q) and  
23 (R)” and inserting “(S), (T), (U), (V), (W),  
24 (X), and (Y)”;

25           (C) in paragraph (3)—

1                   (i) by striking subparagraphs (A) and  
2                   (B) and inserting the following:

3                   “(A) The amount of non-Federal funds for  
4                   the fiscal year for which the determination is  
5                   made that the institution or program listed in  
6                   subsection (e)—

7                   “(i) allocates from institutional re-  
8                   sources;

9                   “(ii) secures from non-Federal  
10                  sources, including amounts appropriated  
11                  by the State and amounts from the private  
12                  sector; and

13                  “(iii) will utilize to match Federal  
14                  funds awarded for the fiscal year for which  
15                  the determination is made under this sec-  
16                  tion to the institution or program.

17                  “(B) The number of students enrolled in  
18                  the qualified graduate programs of the eligible  
19                  institution or program, for which the institution  
20                  or program received and allocated funding  
21                  under this section in the preceding year.”;

22                  (ii) in subparagraph (C), by striking  
23                  “(or the equivalent) enrolled in the eligible  
24                  professional or graduate school” and all  
25                  that follows through the period and insert-

ing “enrolled in the qualified programs or  
institutions listed in paragraph (1).”;

(iii) in subparagraph (D)—

(I) by striking “students” and in-  
serting “Black American students or  
minority students”; and

(II) by striking “institution” and  
inserting “institution or program”;  
and

(iv) by striking subparagraph (E) and  
inserting the following:

“(E) The percentage that the total number  
of Black American students and minority stu-  
dents who receive their first professional, mas-  
ter’s, or doctoral degrees from the institution or  
program in the academic year preceding the  
academic year for which the determination is  
made; represents of the total number of Black  
American students and minority students in the  
United States who receive their first profes-  
sional, master’s, or doctoral degrees in the pro-  
fessions or disciplines related to the course of  
study at such institution or program, respec-  
tively, in the preceding academic year.”; and



1           (4) in subsection (g), by striking “1998” and  
2           inserting “2007”.

3 **SEC. 310. AUTHORITY OF THE SECRETARY.**

4           Section 345 (20 U.S.C. 1066d) is amended—

5           (1) in paragraph (6), by striking “and” after  
6           the semicolon;

7           (2) in paragraph (7), by striking the period at  
8           the end and inserting “; and”; and

9           (3) by adding at the end the following:

10           “(8) not later than 90 days after the date of  
11           enactment of the Higher Education Amendments of  
12           2007, shall submit to the authorizing committees a  
13           report on the progress of the Department in imple-  
14           menting the recommendations made by the Govern-  
15           ment Accountability Office in October 2006 for im-  
16           proving the Historically Black College and Univer-  
17           sities Capital Financing Program.”.

18 **SEC. 311. AUTHORIZATION OF APPROPRIATIONS.**

19           Subsection (a) of section 399 (20 U.S.C. 1068h) is  
20           amended to read as follows:

21           “(a) AUTHORIZATIONS.—

22           “(1) PART A.—(A) There are authorized to be  
23           appropriated to carry out part A (other than sec-  
24           tions 316, 317, and 318) such sums as may be nec-

1       essary for fiscal year 2008 and each of the 5 suc-  
 2       ceeding fiscal years.

3           “(B) There are authorized to be appropriated  
 4       to carry out section 316 such sums as may be nec-  
 5       essary for fiscal year 2008 and each of the 5 suc-  
 6       ceeding fiscal years.

7           “(C) There are authorized to be appropriated to  
 8       carry out section 317 such sums as may be nec-  
 9       essary for fiscal year 2008 and each of the 5 suc-  
 10      ceeding fiscal years.

11          “(D) There are authorized to be appropriated  
 12      to carry out section 318 such sums as may be nec-  
 13      essary for fiscal year 2008 and each of the 5 suc-  
 14      ceeding fiscal years.

15          “(2) PART B.—(A) There are authorized to be  
 16      appropriated to carry out part B (other than section  
 17      326) such sums as may be necessary for fiscal year  
 18      2008 and each of the 5 succeeding fiscal years.

19          “(B) There are authorized to be appropriated  
 20      to carry out section 326 such sums as may be nec-  
 21      essary for fiscal year 2008 and each of the 5 suc-  
 22      ceeding fiscal years.

23          “(3) PART C.—There are authorized to be ap-  
 24      propriated to carry out part C such sums as may be

1 necessary for fiscal year 2008 and each of the 5 suc-  
 2 ceeding fiscal years.

3 “(4) PART D.—(A) There are authorized to be  
 4 appropriated to carry out part D (other than section  
 5 345(7), but including section 347) such sums as  
 6 may be necessary for fiscal year 2008 and each of  
 7 the 5 succeeding fiscal years.

8 “(B) There are authorized to be appropriated  
 9 to carry out section 345(7) such sums as may be  
 10 necessary for fiscal year 2008 and each of the 5 suc-  
 11 ceeding fiscal years.

12 “(5) PART E.—There are authorized to be ap-  
 13 propriated to carry out part E such sums as may be  
 14 necessary for fiscal year 2008 and each of the 5 suc-  
 15 ceeding fiscal years.”.

16 **SEC. 312. TECHNICAL CORRECTIONS.**

17 Title III (20 U.S.C. 1051 et seq.) is further amend-  
 18 ed—

19 (1) in section 342(5)(C) (20 U.S.C.  
 20 1066a(5)(C)), by striking “,” and inserting “,”;

21 (2) in section 343(e) (20 U.S.C. 1066b(e)), by  
 22 inserting “SALE OF QUALIFIED BONDS.—” before  
 23 “Notwithstanding”;

1           (3) in the matter preceding clause (i) of section  
 2       365(9)(A) (20 U.S.C. 1067k(9)(A)), by striking  
 3       “support” and inserting “supports”;

4           (4) in section 391(b)(7)(E) (20 U.S.C.  
 5       1068(b)(7)(E)), by striking “subparagraph (E)” and  
 6       inserting “subparagraph (D)”;

7           (5) in the matter preceding subparagraph (A)  
 8       of section 392(b)(2) (20 U.S.C. 1068a(b)(2)), by  
 9       striking “eligible institutions under part A institu-  
 10      tions” and inserting “eligible institutions under part  
 11      A”; and

12          (6) in the matter preceding paragraph (1) of  
 13      section 396 (20 U.S.C. 1068e), by striking “360”  
 14      and inserting “399”.

## 15   **TITLE IV—STUDENT ASSISTANCE**

### 16   **PART A—GRANTS TO STUDENTS IN ATTENDANCE**

#### 17   **AT INSTITUTIONS OF HIGHER EDUCATION**

#### 18   **SEC. 401. FEDERAL PELL GRANTS.**

19       Section 401 (20 U.S.C. 1070a) is amended—

20           (1) in subsection (a)(1)—

21               (A) in the first sentence, by striking  
 22               “2004” and inserting “2013”; and

23               (B) in the second sentence, by striking “,”  
 24               and inserting “,”;

25           (2) in subsection (b)—

1                   (A) by striking paragraph (2)(A) and in-  
 2                   serting the following:

3           ~~“(2)(A) The amount of the Federal Pell Grant for~~  
 4           ~~a student eligible under this part shall be—~~

5                   ~~“(i) \$5,400 for academic year 2008–2009;~~

6                   ~~“(ii) \$5,700 for academic year 2009–2010;~~

7                   ~~“(iii) \$6,000 for academic year 2010–2011; and~~

8                   ~~“(iv) \$6,300 for academic year 2011–2012;~~

9           ~~less an amount equal to the amount determined to be the~~  
 10           ~~expected family contribution with respect to that student~~  
 11           ~~for that year.”;~~

12                   (B) by striking paragraph (3);

13                   (C) by redesignating paragraphs (4)  
 14                   through (8) as paragraphs (3) through (7), re-  
 15                   spectively;

16                   (D) in paragraph (4) (as redesignated by  
 17                   subparagraph (C)), by striking “\$400, except”  
 18                   and all that follows through the period and in-  
 19                   serting “10 percent of the maximum basic  
 20                   grant level specified in the appropriate Appro-  
 21                   priation Act for such academic year, except that  
 22                   a student who is eligible for a Federal Pell  
 23                   Grant in an amount that is equal to or greater  
 24                   than 5 percent of such level but less than 10  
 25                   percent of such level shall be awarded a Federal

1 Pell grant in the amount of 10 percent of such  
2 level.”; and

3 (E) by striking paragraph (5) (as redesignated by subparagraph (C)) and inserting the  
4 following:  
5

6 “(5) In the case of a student who is enrolled, on at  
7 least a half-time basis and for a period of more than 1  
8 academic year in a 2-year or 4-year program of instruction  
9 for which an institution of higher education awards an as-  
10 sociate or baccalaureate degree, the Secretary shall allow  
11 such student to receive not more than 2 Federal Pell  
12 Grants during a single award year to permit such student  
13 to accelerate the student’s progress toward a degree by  
14 attending additional sessions. In the case of a student re-  
15 ceiving more than 1 Federal Pell Grant in a single award  
16 year, the total amount of Federal Pell Grants awarded to  
17 such student for the award year may exceed the maximum  
18 basic grant level specified in the appropriate Appropria-  
19 tion Act for such award year.”; and

20 (3) in subsection (e), by adding at the end the  
21 following:

22 “(5) The period of time during which a student may  
23 receive Federal Pell Grants shall not exceed 18 semesters,  
24 or an equivalent period of time as determined by the Sec-  
25 retary pursuant to regulations, which period shall—

1           “(A) be determined without regard to whether  
2           the student is enrolled on a full-time basis during  
3           any portion of the period of time; and

4           “(B) include any period of time for which the  
5           student received a Federal Pell Grant prior to the  
6           date of enactment of the Higher Education Amend-  
7           ments of 2007.”.

8   **SEC. 402. ACADEMIC COMPETITIVENESS GRANTS.**

9           Section 401A (20 U.S.C. 1070a-1) is amended—

10           (1) by striking subsection (a) and inserting the  
11           following:

12           “(a) ACADEMIC COMPETITIVENESS GRANT PROGRAM  
13   AUTHORIZED.—The Secretary shall award grants, in the  
14   amounts specified in subsection (d)(1), to eligible students  
15   to assist the eligible students in paying their college edu-  
16   cation expenses.”;

17           (2) in subsection (b)—

18                   (A) in paragraph (1), by striking “aca-  
19                   demic”; and

20                   (B) in paragraph (2), by striking “third or  
21                   fourth academic” and inserting “third, fourth,  
22                   or fifth”;

23           (3) in subsection (c)—

24                   (A) in the matter preceding paragraph (1),  
25                   by striking “full-time” and all that follows

1 through “is made” and inserting “student  
2 who”;

3 (B) by striking paragraph (1) and insert-  
4 ing the following:

5 “(1) is eligible for a Federal Pell Grant for the  
6 award year in which the determination of eligibility  
7 is made for a grant under this section;”;

8 (C) by striking paragraph (2) and insert-  
9 ing the following:

10 “(2) is enrolled or accepted for enrollment in an  
11 institution of higher education on not less than a  
12 half-time basis; and”; and

13 (D) in paragraph (3)—

14 (i) by striking subparagraph (A) and  
15 inserting the following:

16 “(A) the first year of a program of under-  
17 graduate education at a 2- or 4-year degree-  
18 granting institution of higher education (includ-  
19 ing a program of not less than 1 year for which  
20 the institution awards a certificate); has suc-  
21 cessfully completed; after January 1, 2006; a  
22 rigorous secondary school program of study es-  
23 tablished by a State or local educational agency  
24 and recognized as such by the Secretary;”;

25 (ii) in subparagraph (B)—



- 1 (I) in the matter preceding clause
- 2 (i), by striking “academic” and all
- 3 that follows through “higher edu-
- 4 cation” and inserting “year of a pro-
- 5 gram of undergraduate education at a
- 6 2- or 4-year degree-granting institu-
- 7 tion of higher education (including a
- 8 program of not less than 2 years for
- 9 which the institution awards a certifi-
- 10 cate)”; and
- 11 (II) in clause (ii)—
- 12 (aa) by striking “academic”;
- 13 and
- 14 (bb) by striking “or” after
- 15 the semicolon at the end;
- 16 (iii) in subparagraph (C)—
- 17 (I) by striking “academic”;
- 18 (II) by striking “four” and in-
- 19 serting “4”;
- 20 (III) by striking clause (i)(II)
- 21 and inserting the following:
- 22 “(II) a critical foreign language;
- 23 and”; and

1                   (IV) in clause (ii), by striking the  
2                   period at the end and inserting a  
3                   semicolon; and  
4                   (iv) by adding at the end the fol-  
5                   lowing:

6                   “(D) the third or fourth year of a program  
7                   of undergraduate education at an institution of  
8                   higher education (as defined in section 101(a))  
9                   that demonstrates, to the satisfaction of the  
10                  Secretary, that the institution—

11                  “(i) offers a single liberal arts cur-  
12                  riculum leading to a baccalaureate degree;  
13                  under which students are not permitted by  
14                  the institution to declare a major in a par-  
15                  ticular subject area, but do study, in such  
16                  years, a subject described in subparagraph  
17                  (C)(i) that is at least equal to the require-  
18                  ments for an academic major at an institu-  
19                  tion of higher education that offers a bac-  
20                  calaureate degree in such subject, as cer-  
21                  tified by the appropriate official of the  
22                  demonstrating institution; and

23                  “(ii) offered such curriculum prior to  
24                  February 8, 2006; or

1           “(E) the fifth year of a program of under-  
 2           graduate education that requires 5 full years of  
 3           coursework for which a baccalaureate degree is  
 4           awarded by a degree-granting institution of  
 5           higher education, as certified by the appropriate  
 6           official of such institution—

7                   “(i) is pursuing a major in—

8                           “(I) the physical, life, or com-  
 9                           puter sciences, mathematics, tech-  
 10                           nology, or engineering (as determined  
 11                           by the Secretary pursuant to regula-  
 12                           tions); or

13                           “(H) a critical foreign language;

14                           and

15                           “(ii) has obtained a cumulative grade  
 16                           point average of at least 3.0 (or the equiv-  
 17                           alent as determined under regulations pre-  
 18                           scribed by the Secretary) in the coursework  
 19                           required for the major described in clause  
 20                           (i).”;

21           (4) in subsection (d)—

22                           (A) in paragraph (1)—

23                                   (i) in subparagraph (A)—

24   (I) by striking “The” and insert-  
 25   ing “IN GENERAL.—The”;

1           (HI) in clause (ii), by striking  
2           “or” after the semicolon at the end;

3           (III) in clause (iii), by striking  
4           “subsection (c)(3)(C).” and inserting  
5           “subparagraph (C) or (D) of sub-  
6           section (c)(3), for each of the 2 years  
7           described in such subparagraphs; or”;  
8           and

9           (IV) by adding at the end the fol-  
10          lowing:

11          “(iv) \$4,000 for an eligible student  
12          under subsection (c)(3)(E).”; and

13          (ii) in subparagraph (B)—

14               (I) by striking “Notwith-  
15               standing” and inserting “LIMITATION;  
16               RATABLE       REDUCTION.—Notwith-  
17               standing”;

18               (HI) by redesignating clauses (i),  
19               (ii), and (iii), as clauses (ii), (iii), and  
20               (iv), respectively; and

21               (III) by inserting before clause  
22               (ii), as redesignated under subclause  
23               (HI), the following:

24               “(i) in any case in which a student at-  
25               tends an institution of higher education on

less than a full-time basis, the amount of the grant to which such student is eligible shall be reduced in the same manner as a Federal Pell Grant is reduced under section 401(b)(2)(B);”;

(B) by striking paragraph (2) and inserting the following:

“(2) LIMITATIONS.—

“(A) NO GRANTS FOR PREVIOUS CREDIT.—The Secretary may not award a grant under this section to any student for a year of a program of undergraduate education described in subparagraph (A), (B), (C), (D), or (E) of subsection (c)(3) for which the student received credit before the date of enactment of the Higher Education Reconciliation Act of 2005.

“(B) NUMBER OF GRANTS.—

“(i) FIRST YEAR.—In the case of a student described in subsection (c)(3)(A), the Secretary may not award more than 1 grant to such student for such first year of study.

“(ii) SECOND YEAR.—In the case of a student described in subsection (c)(3)(B),

the Secretary may not award more than 1  
grant to such student for such second year  
of study.

“(iii) THIRD AND FOURTH YEARS.—

In the case of a student described in sub-  
paragraph (C) or (D) of subsection (e)(3),  
the Secretary may not award more than 1  
grant to such student for each of the third  
and fourth years of study.

“(iv) FIFTH YEAR.—In the case of a

student described in subsection (e)(3)(E),  
the Secretary may not award more than 1  
grant to such student for such fifth year of  
study.”; and

(C) by adding at the end the following:

“(3) CALCULATION OF GRANT PAYMENTS.—An

institution of higher education shall make payments  
for a grant awarded under this section in the same  
manner, using the same payment periods, as such  
institution makes payments for Federal Pell Grants  
under section 401.”;

(5) by striking subsection (e)(2) and inserting

the following:

1           “(2) AVAILABILITY OF FUNDS.—Funds made  
2           available under paragraph (1) for a fiscal year shall  
3           remain available for the succeeding fiscal year.”;

4           (6) in subsection (f)—

5                   (A) by striking “at least one” and insert-  
6           ing “not less than 1”; and

7                   (B) by striking “subsection (c)(3)(A) and  
8           (B)” and inserting “subparagraphs (A) and (B)  
9           of subsection (c)(3)”; and

10          (7) in subsection (g), by striking “academic”  
11          and inserting “award”.

12   **SEC. 403. FEDERAL TRIO PROGRAMS.**

13          (a) PROGRAM AUTHORITY; AUTHORIZATION OF AP-  
14          PROPRIATIONS.—Section 402A (20 U.S.C. 1070a–11) is  
15          amended—

16          (1) in subsection (b)—

17                  (A) in paragraph (2)—

18                          (i) in the matter preceding subpara-  
19                  graph (A), by striking “4” and inserting  
20                  “5”;

21                          (ii) by striking subparagraph (A); and

22                          (iii) by redesignating subparagraphs  
23                  (B) and (C) as subparagraphs (A) and  
24                  (B), respectively; and

1                   (B) by striking paragraph (3) and insert-  
2                   ing the following:

3                   ~~“(3) MINIMUM GRANTS.—~~Unless the institution  
4                   or agency requests a smaller amount, an individual  
5                   grant authorized under this chapter shall be award-  
6                   ed in an amount that is not less than \$200,000, ex-  
7                   cept that an individual grant authorized under sec-  
8                   tion 402G shall be awarded in an amount that is not  
9                   less than \$170,000.”;

10                  (2) in subsection (c)—

11                   (A) in paragraph (2), by striking “service  
12                   delivery” and inserting “high quality service de-  
13                   livery, as determined under subsection (f),”;

14                   (B) in paragraph (3)(B), by striking “is  
15                   not required to” and inserting “shall not”; and

16                   (C) in paragraph (5), by striking “cam-  
17                   puses” and inserting “different campuses”;

18                   (3) in subsection (c), by striking “(g)(2)” each  
19                   place the term occurs and inserting “(h)(4)”;

20                   (4) by redesignating subsections (f) and (g) as  
21                   subsections (g) and (h), respectively;

22                   (5) by inserting after subsection (c) the fol-  
23                   lowing:

24                   ~~“(f) OUTCOME CRITERIA.—~~



1           ~~“(1) USE FOR PRIOR EXPERIENCE DETERMINA-~~  
 2           ~~TION.—The Secretary shall use the outcome criteria~~  
 3           ~~described in paragraphs (2) and (3) to evaluate the~~  
 4           ~~programs provided by a recipient of a grant under~~  
 5           ~~this chapter, and the Secretary shall determine an~~  
 6           ~~eligible entity’s prior experience of high quality serv-~~  
 7           ~~ice delivery, as required under subsection (c)(2),~~  
 8           ~~based on the outcome criteria.~~

9           ~~“(2) DISAGGREGATION OF RELEVANT DATA.—~~  
 10          ~~The outcome criteria under this subsection shall be~~  
 11          ~~disaggregated by low-income students, first genera-~~  
 12          ~~tion college students, and individuals with disabil-~~  
 13          ~~ities, in the schools and institutions of higher edu-~~  
 14          ~~cation served by the program to be evaluated.~~

15          ~~“(3) CONTENTS OF OUTCOME CRITERIA.—The~~  
 16          ~~outcome criteria under this subsection shall measure,~~  
 17          ~~annually and for longer periods, the quality and ef-~~  
 18          ~~fectiveness of programs authorized under this chap-~~  
 19          ~~ter and shall include the following:~~

20                 ~~“(A) For programs authorized under sec-~~  
 21                 ~~tion 402B, the extent to which the eligible enti-~~  
 22                 ~~ty met or exceeded the entity’s objectives estab-~~  
 23                 ~~lished in the entity’s application for such pro-~~  
 24                 ~~gram regarding—~~

1 “(i) the delivery of service to a total  
2 number of students served by the program;

3 “(ii) the continued secondary school  
4 enrollment of such students;

5 “(iii) the graduation of such students  
6 from secondary school;

7 “(iv) the enrollment of such students  
8 in an institution of higher education; and

9 “(v) to the extent practicable, the  
10 postsecondary education completion of  
11 such students.

12 “(B) For programs authorized under sec-  
13 tion 402C, the extent to which the eligible enti-  
14 ty met or exceeded the entity’s objectives for  
15 such program regarding—

16 “(i) the delivery of service to a total  
17 number of students served by the program,  
18 as agreed upon by the entity and the Sec-  
19 retary for the period;

20 “(ii) such students’ school perform-  
21 ance, as measured by the grade point aver-  
22 age, or its equivalent;

23 “(iii) such students’ academic per-  
24 formance, as measured by standardized

1 tests, including tests required by the stu-  
2 dents' State;

3 “(iv) the retention in, and graduation  
4 from, secondary school of such students;  
5 and

6 “(v) the enrollment of such students  
7 in an institution of higher education.

8 “(C) For programs authorized under sec-  
9 tion 402D—

10 “(i) the extent to which the eligible  
11 entity met or exceeded the entity's objec-  
12 tives regarding the retention in postsec-  
13 ondary education of the students served by  
14 the program;

15 “(ii)(I) in the case of an entity that is  
16 an institution of higher education offering  
17 a baccalaureate degree, the extent to which  
18 the entity met or exceeded the entity's ob-  
19 jectives regarding such students' comple-  
20 tion of the degree programs in which such  
21 students were enrolled; or

22 “(II) in the case of an entity that is  
23 an institution of higher education that does  
24 not offer a baccalaureate degree, the extent

1 to which the entity met or exceeded the en-  
2 tity's objectives regarding—

3 “(aa) the completion of a degree  
4 or certificate by such students; and

5 “(bb) the transfer of such stu-  
6 dents to institutions of higher edu-  
7 cation that offer baccalaureate de-  
8 grees;

9 “(iii) the extent to which the entity  
10 met or exceeded the entity's objectives re-  
11 garding the delivery of service to a total  
12 number of students, as agreed upon by the  
13 entity and the Secretary for the period;  
14 and

15 “(iv) the extent to which the entity  
16 met or exceeded the entity's objectives re-  
17 garding such students remaining in good  
18 academic standing.

19 “(D) For programs authorized under sec-  
20 tion 402E, the extent to which the entity met  
21 or exceeded the entity's objectives for such pro-  
22 gram regarding—

23 “(i) the delivery of service to a total  
24 number of students, as agreed upon by the  
25 entity and the Secretary for the period;

1           “(ii) the provision of appropriate  
2           scholarly and research activities for the  
3           students served by the program;

4           “(iii) the acceptance and enrollment  
5           of such students in graduate programs;  
6           and

7           “(iv) the continued enrollment of such  
8           students in graduate study and the attain-  
9           ment of doctoral degrees by former pro-  
10          gram participants.

11          “(E) For programs authorized under sec-  
12          tion 402F, the extent to which the entity met  
13          or exceeded the entity’s objectives for such pro-  
14          gram regarding—

15               “(i) the enrollment of students with-  
16               out a secondary school diploma or its rec-  
17               ognized equivalent, who were served by the  
18               program, in programs leading to such di-  
19               ploma or equivalent;

20               “(ii) the enrollment of secondary  
21               school graduates who were served by the  
22               program in programs of postsecondary  
23               education;

24               “(iii) the delivery of service to a total  
25               number of students, as agreed upon by the

entity and the Secretary for the period;  
and

~~“(iv) the provision of assistance to  
students served by the program in com-  
pleting financial aid applications and col-  
lege admission applications.~~

~~“(4) MEASUREMENT OF PROGRESS.—In order  
to determine the extent to which an outcome cri-  
terion described in paragraphs (2) or (3) is met or  
exceeded, an eligible entity receiving assistance  
under this chapter shall compare the eligible entity’s  
target for the criterion, as established in the eligible  
entity’s application, with the results for the cri-  
terion, measured as of the last day of the applicable  
time period for the determination.”;~~

~~(6) in subsection (g) (as redesignated by para-  
graph (4))—~~

~~(A) in the first sentence, by striking  
“\$700,000,000 for fiscal year 1999” and all  
that follows through the period and inserting  
“such sums as may be necessary for fiscal year  
2008 and each of the 5 succeeding fiscal  
years.”; and~~

~~(B) by striking the fourth sentence; and~~

(7) in subsection (h) (as redesignated by paragraph (4))—

(A) by redesignating paragraphs (1) through (4) as paragraphs (3) through (6), respectively;

(B) by inserting before paragraph (3) (as redesignated by subparagraph (A)) the following:

“(1) DIFFERENT CAMPUS.—The term ‘different campus’ means a site of an institution of higher education that—

“(A) is geographically apart from the main campus of the institution;

“(B) is permanent in nature; and

“(C) offers courses in educational programs leading to a degree, certificate, or other recognized educational credential.

“(2) DIFFERENT POPULATION.—The term ‘different population’ means a group of individuals, with respect to whom an eligible entity desires to serve through an application for a grant under this chapter, that—

“(A) is separate and distinct from any other population that the entity has applied for a grant under this chapter to serve; or

“(B) while sharing some of the same needs as another population that the eligible entity has applied for a grant under this chapter to serve, has distinct needs for specialized services.”;

(C) in paragraph (5) (as redesignated by subparagraph (A))—

(i) in subparagraph (A), by striking “or” after the semicolon;

(ii) in subparagraph (B), by striking the period at the end and inserting “; or”, and

(iii) by adding at the end the following:

“(C) was a member of a reserve component of the Armed Forces called to active duty for a period of more than 180 days.”; and

(D) in paragraph (6), by striking “subparagraph (A) or (B) of paragraph (3)” and inserting “subparagraph (A), (B), or (C) of paragraph (5)”.

(b) TALENT SEARCH.—Section 402B (20 U.S.C. 1070a-12) is amended—

(1) in subsection (a)—



1           (A) in paragraph (1), by striking “to iden-  
 2           tify qualified youths with potential for edu-  
 3           cation at the postsecondary level and to encour-  
 4           age such youths” and inserting “to encourage  
 5           eligible youths”;

6           (B) in paragraph (2), by inserting “, and  
 7           facilitate the application for,” after “the avail-  
 8           ability of”; and

9           (C) in paragraph (3), by striking “, but  
 10          who have the ability to complete such programs;  
 11          to reenter” and inserting “to enter or reenter,  
 12          and complete”;

13          (2) by redesignating subsection (c) as sub-  
 14          section (d);

15          (3) by striking subsection (b) and inserting the  
 16          following:

17          “(b) REQUIRED SERVICES.—Any project assisted  
 18          under this section shall provide—

19               “(1) academic tutoring, or connections to high  
 20               quality academic tutoring services, to enable stu-  
 21               dents to complete secondary or postsecondary  
 22               courses, which may include instruction in reading,  
 23               writing, study skills, mathematics, science, and other  
 24               subjects;

1           ~~“(2) advice and assistance in secondary course~~  
 2           ~~selection and, if applicable, initial postsecondary~~  
 3           ~~course selection;~~

4           ~~“(3) assistance in preparing for college entrance~~  
 5           ~~examinations and completing college admission ap-~~  
 6           ~~plications;~~

7           ~~“(4)(A) information on both the full range of~~  
 8           ~~Federal student financial aid programs (including~~  
 9           ~~Federal Pell Grant awards and loan forgiveness) and~~  
 10          ~~resources for locating public and private scholar-~~  
 11          ~~ships; and~~

12          ~~“(B) assistance in completing financial aid ap-~~  
 13          ~~plications, including the Free Application for Fed-~~  
 14          ~~eral Student Aid described in section 483(a);~~

15          ~~“(5) guidance on and assistance in—~~

16                 ~~“(A) secondary school reentry;~~

17                 ~~“(B) alternative education programs for~~  
 18                 ~~secondary school dropouts that lead to the re-~~  
 19                 ~~ceipt of a regular secondary school diploma;~~

20                 ~~“(C) entry into general educational devel-~~  
 21                 ~~opment (GED) programs; or~~

22                 ~~“(D) postsecondary education; and~~

23          ~~“(6) education or counseling services designed~~  
 24          ~~to improve the financial literacy and economic lit-~~

1       eracy of students or the students' parents, including  
2       financial planning for postsecondary education.

3       “(c) PERMISSIBLE SERVICES.—Any project assisted  
4       under this section may provide services such as—

5               “(1) personal and career counseling or activi-  
6       ties;

7               “(2) information and activities designed to ac-  
8       quaint youths with the range of career options avail-  
9       able to the youths;

10              “(3) exposure to the campuses of institutions of  
11       higher education, as well as cultural events, aca-  
12       demic programs, and other sites or activities not  
13       usually available to disadvantaged youth;

14              “(4) workshops and counseling for families of  
15       students served;

16              “(5) mentoring programs involving elementary  
17       or secondary school teachers or counselors, faculty  
18       members at institutions of higher education, stu-  
19       dents, or any combination of such persons; and

20              “(6) programs and activities as described in  
21       subsection (b) or paragraphs (1) through (5) of this  
22       subsection that are specially designed for students  
23       who are limited English proficient, students with  
24       disabilities, students who are homeless children and  
25       youths (as such term is defined in section 725 of the

1 McKinney-Vento Homeless Assistance Act (42  
 2 U.S.C. 11434a)), or students who are in foster care  
 3 or are aging out of the foster care system.”; and

4 (4) in the matter preceding paragraph (1) of  
 5 subsection (d) (as redesignated by paragraph (2)),  
 6 by striking “talent search projects under this chap-  
 7 ter” and inserting “projects under this section”.

8 (e) UPWARD BOUND.—Section 402C (20 U.S.C.  
 9 1070a-13) is amended—

10 (1) by striking subsection (b) and inserting the  
 11 following:

12 “(b) REQUIRED SERVICES.—Any project assisted  
 13 under this section shall provide—

14 “(1) academic tutoring to enable students to  
 15 complete secondary or postsecondary courses, which  
 16 may include instruction in reading, writing, study  
 17 skills, mathematics, science, and other subjects;

18 “(2) advice and assistance in secondary and  
 19 postsecondary course selection;

20 “(3) assistance in preparing for college entrance  
 21 examinations and completing college admission ap-  
 22 plications;

23 “(4)(A) information on both the full range of  
 24 Federal student financial aid programs (including  
 25 Federal Pell Grant awards and loan forgiveness) and

1 resources for locating public and private scholar-  
 2 ships; and

3 “(B) assistance in completing financial aid ap-  
 4 plications, including the Free Application for Fed-  
 5 eral Student Aid described in section 483(a);

6 “(5) guidance on and assistance in—

7 “(A) secondary school reentry;

8 “(B) alternative education programs for  
 9 secondary school dropouts that lead to the re-  
 10 ceipt of a regular secondary school diploma;

11 “(C) entry into general educational devel-  
 12 opment (GED) programs; or

13 “(D) postsecondary education; and

14 “(6) education or counseling services designed  
 15 to improve the financial literacy and economic lit-  
 16 eracy of students or the students’ parents, including  
 17 financial planning for postsecondary education.”;

18 (2) in subsection (c)—

19 (A) in the subsection heading, by striking

20 “REQUIRED SERVICES” and inserting “ADDI-

21 TIONAL REQUIRED SERVICES FOR MULTIPLE-

22 YEAR GRANT RECIPIENTS”; and

23 (B) by striking “upward bound project as-

24 sisted under this chapter” and inserting

25 “project assisted under this section”;

1           ~~(3)~~ by redesignating subsections ~~(d)~~ and ~~(e)~~ as  
 2 subsections ~~(f)~~ and ~~(g)~~, respectively;

3           ~~(4)~~ by inserting after subsection ~~(e)~~ the fol-  
 4 lowing:

5       “(d) PERMISSIBLE SERVICES.—Any project assisted  
 6 under this section may provide such services as—

7           “(1) exposure to cultural events, academic pro-  
 8 grams, and other activities not usually available to  
 9 disadvantaged youth;

10          “(2) information, activities and instruction de-  
 11 signed to acquaint youths participating in the  
 12 project with the range of career options available to  
 13 the youths;

14          “(3) on-campus residential programs;

15          “(4) mentoring programs involving elementary  
 16 school or secondary school teachers or counselors;  
 17 faculty members at institutions of higher education;  
 18 students, or any combination of such persons;

19          “(5) work-study positions where youth partici-  
 20 pating in the project are exposed to careers requir-  
 21 ing a postsecondary degree;

22          “(6) special services to enable veterans to make  
 23 the transition to postsecondary education; and

24          “(7) programs and activities as described in  
 25 subsection ~~(b)~~, subsection ~~(c)~~, or paragraphs ~~(1)~~

1 through (6) of this subsection that are specially de-  
 2 signed for students who are limited English pro-  
 3 ficient, students with disabilities, students who are  
 4 homeless children and youths (as such term is de-  
 5 fined in section 725 of the McKinney-Vento Home-  
 6 less Assistance Act (42 U.S.C. 11434a)), or students  
 7 who are in foster care or are aging out of the foster  
 8 care system.

9 “(e) PRIORITY.—In providing assistance under this  
 10 section the Secretary—

11 “(1) shall give priority to projects assisted  
 12 under this section that select not less than 30 per-  
 13 cent of all first-time participants in the projects  
 14 from students who have a high academic risk for  
 15 failure; and

16 “(2) shall not deny participation in a project  
 17 assisted under this section to a student because the  
 18 student will enter the project after the 9th grade.”;

19 (5) in the matter preceding paragraph (1) of  
 20 subsection (f) (as redesignated by paragraph (3)), by  
 21 striking “upward bound projects under this chapter”  
 22 and inserting “projects under this section”; and

23 (6) in subsection (g) (as redesignated by para-  
 24 graph (3))—

1           (A) by striking “during June, July, and  
2           August” each place the term occurs and insert-  
3           ing “during the summer school recess, for a pe-  
4           riod not to exceed 3 months”; and

5           (B) by striking “(b)(10)” and inserting  
6           “(d)(5)”.  
7

8           (d) STUDENT SUPPORT SERVICES.—Section 402D  
(20 U.S.C. 1070a-14) is amended—

9           (1) in subsection (a)—

10           (A) in paragraph (2), by striking “and”  
11           after the semicolon;

12           (B) by striking paragraph (3) and insert-  
13           ing the following:

14           “(3) to foster an institutional climate sup-  
15           portive of the success of low-income and first gen-  
16           eration college students; students with disabilities;  
17           students who are limited English proficient; students  
18           who are homeless children and youths (as such term  
19           is defined in section 725 of the McKinney-Vento  
20           Homeless Assistance Act (42 U.S.C. 11434a)); and  
21           students who are in foster care or are aging out of  
22           the foster care system.”; and

23           (C) by adding at the end the following:

24           “(4) to improve the financial literacy and eco-  
25           nomic literacy of students, including—



1           ~~“(A) basic personal income, household~~  
 2           ~~money management, and financial planning~~  
 3           ~~skills; and~~

4           ~~“(B) basic economic decisionmaking~~  
 5           ~~skills.”;~~

6           ~~(2) by redesignating subsections (c) and (d) as~~  
 7           ~~subsections (d) and (e);~~

8           ~~(3) by striking subsection (b) and inserting the~~  
 9           ~~following:~~

10          ~~“(b) REQUIRED SERVICES.—A project assisted under~~  
 11          ~~this section shall provide—~~

12           ~~“(1) academic tutoring to enable students to~~  
 13           ~~complete postsecondary courses, which may include~~  
 14           ~~instruction in reading, writing, study skills, mathe-~~  
 15           ~~matics, science, and other subjects;~~

16           ~~“(2) advice and assistance in postsecondary~~  
 17           ~~course selection;~~

18           ~~“(3)(A) information on both the full range of~~  
 19           ~~Federal student financial aid programs (including~~  
 20           ~~Federal Pell Grant awards and loan forgiveness) and~~  
 21           ~~resources for locating public and private scholar-~~  
 22           ~~ships; and~~

23           ~~“(B) assistance in completing financial aid ap-~~  
 24           ~~plications, including the Free Application for Fed-~~  
 25           ~~eral Student Aid described in section 483(a);~~

1           “(4) education or counseling services designed  
2           to improve the financial literacy and economic lit-  
3           eracy of students, including financial planning for  
4           postsecondary education;

5           “(5) activities designed to assist students par-  
6           ticipating in the project in securing college admis-  
7           sion and financial assistance for enrollment in grad-  
8           uate and professional programs; and

9           “(6) activities designed to assist students en-  
10          rolled in 2-year institutions of higher education in  
11          securing admission and financial assistance for en-  
12          rollment in a 4-year program of postsecondary edu-  
13          cation.

14          “(e) PERMISSIBLE SERVICES.—A project assisted  
15          under this section may provide services such as—

16               “(1) consistent, individualized personal, career,  
17               and academic counseling, provided by assigned coun-  
18               selors;

19               “(2) information, activities, and instruction de-  
20               signed to acquaint youths participating in the  
21               project with the range of career options available to  
22               the students;

23               “(3) exposure to cultural events and academic  
24               programs not usually available to disadvantaged stu-  
25               dents;

1           “(4) activities designed to acquaint students  
2       participating in the project with the range of career  
3       options available to the students;

4           “(5) mentoring programs involving faculty or  
5       upper class students, or a combination thereof;

6           “(6) securing temporary housing during breaks  
7       in the academic year for students who are homeless  
8       children and youths (as such term is defined in sec-  
9       tion 725 of the McKinney-Vento Homeless Assist-  
10      ance Act (42 U.S.C. 11434a)) or were formerly  
11      homeless children and youths and students who are  
12      in foster care or are aging out of the foster care sys-  
13      tem; and

14          “(7) programs and activities as described in  
15      subsection (b) or paragraphs (1) through (5) of this  
16      subsection that are specially designed for students  
17      who are limited English proficient, students with  
18      disabilities, students who are homeless children and  
19      youths (as such term is defined in section 725 of the  
20      McKinney-Vento Homeless Assistance Act (42  
21      U.S.C. 11434a)) or were formerly homeless children  
22      and youths, or students who are in foster care or are  
23      aging out of the foster care system.”;

1           (4) in subsection (d)(1) (as redesignated by  
2           paragraph (2)), by striking “subsection (b)” and in-  
3           serting “subsection (e)”; and

4           (5) in the matter preceding paragraph (1) of  
5           subsection (e) (as redesignated by paragraph (2)),  
6           by striking “student support services projects under  
7           this chapter” and inserting “projects under this sec-  
8           tion”.

9           (c) POSTBACCALAUREATE ACHIEVEMENT PROGRAM  
10          AUTHORITY.—Section 402E (20 U.S.C. 1070a-15) is  
11          amended—

12               (1) in subsection (b)—

13                   (A) in the subsection heading, by inserting  
14                   “REQUIRED” before “SERVICES”;

15                   (B) in the matter preceding paragraph (1),  
16                   by striking “A postbaccalaureate achievement  
17                   project assisted under this section may provide  
18                   services such as—” and inserting “A project as-  
19                   sisted under this section shall provide—”;

20                   (C) in paragraph (5), by inserting “and”  
21                   after the semicolon;

22                   (D) in paragraph (6), by striking the semi-  
23                   colon and inserting a period; and

24                   (E) by striking paragraphs (7) and (8);

1           (2) by redesignating subsections (e) through (f)  
2           as subsections (d) through (g), respectively;

3           ~~(3) by inserting after subsection (b) the fol-~~  
4           ~~lowing:~~

5           “(e) PERMISSIBLE SERVICES.—A project assisted  
6           under this section may provide services such as—

7           “(1) education or counseling services designed  
8           to improve the financial literacy and economic lit-  
9           eracy of students, including financial planning for  
10          postsecondary education;

11          “(2) mentoring programs involving faculty  
12          members at institutions of higher education; stu-  
13          dents; or any combination of such persons; and

14          “(3) exposure to cultural events and academic  
15          programs not usually available to disadvantaged stu-  
16          dents.”;

17          (4) in the matter preceding paragraph (1) of  
18          subsection (d) (as redesignated by paragraph (2));  
19          by striking “postbaccalaureate achievement”;

20          (5) in the matter preceding paragraph (1) of  
21          subsection (f) (as redesignated by paragraph (2)); by  
22          striking “postbaccalaureate achievement project”  
23          and inserting “project under this section”; and

24          (6) in subsection (g) (as redesignated by para-  
25          graph (2))—

1           (A) by striking “402A(f)” and inserting  
2           “402A(g)”; and

3           (B) by striking “1993 through 1997” and  
4           inserting “2007 through 2012”.

5           (f) EDUCATIONAL OPPORTUNITY CENTERS.—Section  
6   402F (20 U.S.C. 1070a–16) is amended—

7           (1) in subsection (a)—

8           (A) in paragraph (1), by striking “and”  
9           after the semicolon;

10          (B) in paragraph (2), by striking the pe-  
11          riod at the end and inserting “; and”; and

12          (C) by adding at the end the following:

13          “(3) to improve the financial literacy and eco-  
14          nomic literacy of students, including—

15               “(A) basic personal income, household  
16               money management, and financial planning  
17               skills; and

18               “(B) basic economic decisionmaking  
19               skills.”; and

20          (2) in subsection (b)—

21               (A) by redesignating paragraphs (5)  
22               through (10) as paragraphs (6) through (11),  
23               respectively;

24               (B) by inserting after paragraph (4) the  
25               following:

1           “(5) education or counseling services designed  
2           to improve the financial literacy and economic lit-  
3           eracy of students;”;

4           (C) by striking paragraph (7) (as redesign-  
5           ated by subparagraph (A)) and inserting the  
6           following:

7           “(7) individualized personal, career, and aca-  
8           demic counseling;” and

9           (D) by striking paragraph (11) (as redesign-  
10          ated by subparagraph (A)) and inserting the  
11          following:

12          “(11) programs and activities as described in  
13          paragraphs (1) through (10) that are specially de-  
14          signed for students who are limited English pro-  
15          ficient, students with disabilities, or students who  
16          are homeless children and youths (as such term is  
17          defined in section 725 of the McKinney-Vento  
18          Homeless Assistance Act (42 U.S.C. 11434a)), or  
19          programs and activities for students who are in fos-  
20          ter care or are aging out of the foster care system.”.

21          (g) STAFF DEVELOPMENT ACTIVITIES.—Section  
22          402G(b)(3) (20 U.S.C. 1070a-17(b)(3)) is amended by in-  
23          serting “, including strategies for recruiting and serving  
24          students who are homeless children and youths (as such  
25          term is defined in section 725 of the McKinney-Vento

1 Homeless Assistance Act (42 U.S.C. 11434a)) and stu-  
 2 dents who are in foster care or are aging out of the foster  
 3 care system” before the period at the end.

4 (h) REPORTS, EVALUATIONS, AND GRANTS FOR  
 5 PROJECT IMPROVEMENT AND DISSEMINATION.—Section  
 6 402H (20 U.S.C. 1070a–18) is amended—

7 (1) by striking the section heading and insert-  
 8 ing “**REPORTS, EVALUATIONS, AND GRANTS**  
 9 **FOR PROJECT IMPROVEMENT AND DISSEMINA-**  
 10 **TION.**”;

11 (2) by redesignating subsections (a) through (c)  
 12 as subsections (b) through (d), respectively;

13 (3) by inserting before subsection (b) (as redес-  
 14 ignated by paragraph (2)) the following:

15 “(a) REPORTS TO THE AUTHORIZING COMMIT-  
 16 TEES.—The Secretary shall submit annually, to the au-  
 17 thorizing committees, a report that documents the per-  
 18 formance of all programs funded under this chapter. The  
 19 report shall—

20 “(1) be submitted not later than 24 months  
 21 after the eligible entities receiving funds under this  
 22 chapter are required to report their performance to  
 23 the Secretary;



1           ~~“(2) focus on the programs’ performance on the~~  
 2           ~~relevant outcome criteria determined under section~~  
 3           ~~402A(f)(4);~~

4           ~~“(3) aggregate individual project performance~~  
 5           ~~data on the outcome criteria in order to provide na-~~  
 6           ~~tional performance data for each program;~~

7           ~~“(4) include, when appropriate, descriptive~~  
 8           ~~data, multi-year data, and multi-cohort data; and~~

9           ~~“(5) include comparable data on the perform-~~  
 10          ~~ance nationally of low-income students, first-genera-~~  
 11          ~~tion students, and students with disabilities.”; and~~

12          ~~(4) in subsection (b) (as redesignated by para-~~  
 13          ~~graph (2)), by striking paragraph (2) and inserting~~  
 14          ~~the following:~~

15          ~~“(2) PRACTICES.—~~

16                 ~~“(A) IN GENERAL.—The evaluations de-~~  
 17                 ~~scribed in paragraph (1) shall identify institu-~~  
 18                 ~~tional, community, and program or project~~  
 19                 ~~practices that are particularly effective in—~~

20                         ~~“(i) enhancing the access of low-in-~~  
 21                         ~~come individuals and first-generation col-~~  
 22                         ~~lege students to postsecondary education;~~

23                         ~~“(ii) the preparation of the individuals~~  
 24                         ~~and students for postsecondary education;~~  
 25                         ~~and~~

1                   “(iii) fostering the success of the indi-  
2                   viduals and students in postsecondary edu-  
3                   cation.

4                   “(B) PRIMARY PURPOSE.—Any evaluation  
5                   conducted under this chapter shall have as its  
6                   primary purpose the identification of particular  
7                   practices that further the achievement of the  
8                   outcome criteria determined under section  
9                   402A(f)(4).

10                  “(C) DISSEMINATION AND USE OF EVAL-  
11                  UATION FINDINGS.—The Secretary shall dis-  
12                  seminate to eligible entities and make available  
13                  to the public the practices identified under sub-  
14                  paragraph (B). The practices may be used by  
15                  eligible entities that receive assistance under  
16                  this chapter after the dissemination.

17                  “(3) EVALUATION SPECIAL RULES.—

18                   “(A) RECRUITMENT.—The Secretary shall  
19                   not require an eligible entity desiring to receive  
20                   assistance under this chapter to recruit stu-  
21                   dents to serve as a control group for purposes  
22                   of evaluating any program or project assisted  
23                   under this chapter.

24                   “(B) PERMISSIBLE PRIORITY.—If the Sec-  
25                   retary elects to provide for the conduct of an

1 evaluation of a program or project under this  
 2 chapter using a control group; then the Sec-  
 3 retary may give priority in providing assistance  
 4 under this chapter, subject to section 402C(e),  
 5 to an eligible entity that elects to participate in  
 6 such an evaluation.”.

7 **SEC. 404. GAINING EARLY AWARENESS AND READINESS**  
 8 **FOR UNDERGRADUATE PROGRAMS.**

9 (a) **EARLY INTERVENTION AND COLLEGE AWARE-**  
 10 **NESS PROGRAM AUTHORIZED.**—Section 404A (20 U.S.C.  
 11 1070a–21) is amended—

12 (1) by striking subsection (a) and inserting the  
 13 following:

14 “(a) **PROGRAM AUTHORIZED.**—The Secretary is au-  
 15 thorized, in accordance with the requirements of this chap-  
 16 ter, to establish a program that encourages eligible entities  
 17 to provide support to eligible low-income students to assist  
 18 the students in obtaining a secondary school diploma (or  
 19 its recognized equivalent) and to prepare for and succeed  
 20 in postsecondary education, by providing—

21 “(1) financial assistance, academic support, ad-  
 22 ditional counseling, mentoring, outreach, and sup-  
 23 portive services to middle school and secondary  
 24 school students to reduce—

1           “(A) the risk of such students dropping  
2 out of school; or

3           “(B) the need for remedial education for  
4 such students at the postsecondary level; and

5           “(2) information to students and their parents  
6 about the advantages of obtaining a postsecondary  
7 education and the college financing options for the  
8 students and their parents.”;

9           (2) by striking subsection (b)(2)(A) and insert-  
10 ing the following:

11           “(A) give priority to eligible entities that  
12 have a prior, demonstrated commitment to  
13 early intervention leading to college access  
14 through collaboration and replication of suc-  
15 cessful strategies;”;

16           (3) by striking subsection (c)(2) and inserting  
17 the following:

18           “(2) a partnership—

19           “(A) consisting of—

20           “(i) 1 or more local educational agen-  
21 cies; and

22           “(ii) 1 or more degree granting insti-  
23 tutions of higher education; and

24           “(B) which may include not less than 2  
25 other community organizations or entities, such

1 as businesses, professional organizations, State  
 2 agencies, institutions or agencies sponsoring  
 3 programs authorized under subpart 4, or other  
 4 public or private agencies or organizations.”.

5 (b) REQUIREMENTS.—Section 404B (20 U.S.C.  
 6 1070a-22) is amended—

7 (1) by striking subsection (a) and inserting the  
 8 following: —

9 “(a) FUNDING RULES.—

10 “(1) DISTRIBUTION.—In awarding grants from  
 11 the amount appropriated under section 404G for a  
 12 fiscal year, the Secretary shall take into consider-  
 13 ation—

14 “(A) the geographic distribution of such  
 15 awards; and

16 “(B) the distribution of such awards be-  
 17 tween urban and rural applicants.

18 “(2) SPECIAL RULE.—The Secretary shall an-  
 19 nually reevaluate the distribution of funds described  
 20 in paragraph (1) based on number, quality, and  
 21 promise of the applications.”;

22 (2) by striking subsections (b), (e), and (f);

23 (3) by redesignating subsections (e), (d), and  
 24 (g) as subsections (b), (c), and (d), respectively; and

25 (4) by adding at the end the following:

1       “(e) **SUPPLEMENT, NOT SUPPLANT.**—Grant funds  
 2 awarded under this chapter shall be used to supplement,  
 3 and not supplant, other Federal, State, and local funds  
 4 that would otherwise be expended to carry out activities  
 5 assisted under this chapter.”.

6       (c) **APPLICATION.**—Section 404C (20 U.S.C. 1070a–  
 7 22) is amended—

8           (1) in the section heading, by striking “**ELIGI-**  
 9       **BLE ENTITY PLANS**” and inserting “**APPLICA-**  
 10       **TIONS**”;

11          (2) in subsection (a)—

12           (A) in the subsection heading, by striking  
 13       “**PLAN**” and inserting “**APPLICATION**”;

14           (B) in paragraph (1)—

15           (i) by striking “a plan” and inserting  
 16       “an application”; and

17           (ii) by striking the second sentence;  
 18       and

19           (C) by striking paragraph (2) and insert-  
 20       ing the following:

21       “(2) **CONTENTS.**—Each application submitted  
 22 pursuant to paragraph (1) shall be in such form,  
 23 contain or be accompanied by such information or  
 24 assurances, and be submitted at such time as the

1 Secretary may require. Each such application shall,  
2 at a minimum—

3 “(A) describe the activities for which as-  
4 sistance under this chapter is sought, including  
5 how the eligible entity will carry out the re-  
6 quired activities described in section 404D(a);

7 “(B) describe how the eligible agency will  
8 meet the requirements of section 404E;

9 “(C) provide assurances that adequate ad-  
10 ministrative and support staff will be respon-  
11 sible for coordinating the activities described in  
12 section 404D;

13 “(D) ensure that activities assisted under  
14 this chapter will not displace an employee or  
15 eliminate a position at a school assisted under  
16 this chapter, including a partial displacement  
17 such as a reduction in hours, wages or employ-  
18 ment benefits;

19 “(E) describe, in the case of an eligible en-  
20 tity described in section 404A(c)(2), how the el-  
21 igible entity will define the cohorts of the stu-  
22 dents served by the eligible entity pursuant to  
23 section 404B(d), and how the eligible entity will  
24 serve the cohorts through grade 12, including—

1           “(i) how vacancies in the program  
2           under this chapter will be filled; and

3           “(ii) how the eligible entity will serve  
4           students attending different secondary  
5           schools;

6           “(F) describe how the eligible entity will  
7           coordinate programs with other existing Fed-  
8           eral, State, or local programs to avoid dupli-  
9           cation and maximize the number of students  
10          served;

11          “(G) provide such additional assurances as  
12          the Secretary determines necessary to ensure  
13          compliance with the requirements of this chap-  
14          ter; and

15          “(H) provide information about the activi-  
16          ties that will be carried out by the eligible enti-  
17          ty to support systemic changes from which fu-  
18          ture cohorts of students will benefit.”;

19          (3) in the matter preceding subparagraph (A)  
20          of subsection (b)(1)—

21                (A) by striking “a plan” and inserting “an  
22                application”; and

23                (B) by striking “such plan” and inserting  
24                “such application”; and



(4) in subsection (c)(1), by striking the semicolon at the end and inserting “including—

“(A) the amount contributed to a student scholarship fund established under section 404E; and

“(B) the amount of the costs of administering the scholarship program under section 404E;”.

(d) **ACTIVITIES.**—Section 404D (20 U.S.C. 1070a–24) is amended to read as follows:

**“SEC. 404D. ACTIVITIES.**

“(a) **REQUIRED ACTIVITIES.**—Each eligible entity receiving a grant under this chapter shall carry out the following:

“(1) Provide information regarding financial aid for postsecondary education to participating students in the cohort described in subsection 404B(d)(1)(A).

“(2) Encourage student enrollment in rigorous and challenging curricula and coursework, in order to reduce the need for remedial coursework at the postsecondary level.

“(3) Support activities designed to improve the number of participating students who—

1                   “(A) obtain a secondary school diploma;  
2                   and

3                   “(B) complete applications for and enroll  
4                   in a program of postsecondary education.

5                   “(4) In the case of an eligible entity described  
6                   in section 404A(c)(1), provide for the scholarships  
7                   described in section 404E.

8                   “(b) OPTIONAL ACTIVITIES FOR STATES AND PART-  
9                   NERSHIPS.—An eligible entity that receives a grant under  
10                  this chapter may use grant funds to carry out 1 or more  
11                  of the following activities:

12                  “(1) Providing tutoring and supporting men-  
13                  tors, including adults or former participants of a  
14                  program under this chapter, for eligible students.

15                  “(2) Conducting outreach activities to recruit  
16                  priority students described in subsection (d) to par-  
17                  ticipate in program activities.

18                  “(3) Providing supportive services to eligible  
19                  students.

20                  “(4) Supporting the development or implemen-  
21                  tation of rigorous academic curricula, which may in-  
22                  clude college preparatory, Advanced Placement, or  
23                  International Baccalaureate programs, and providing  
24                  participating students access to rigorous core

1 courses that reflect challenging State academic  
2 standards.

3 “(5) Supporting dual or concurrent enrollment  
4 programs between the secondary school and institu-  
5 tion of higher education partners of an eligible entity  
6 described in section 404A(c)(2), and other activities  
7 that support participating students in—

8 “(A) meeting challenging academic stand-  
9 ards;

10 “(B) successfully applying for postsec-  
11 ondary education;

12 “(C) successfully applying for student fi-  
13 nancial aid; and

14 “(D) developing graduation and career  
15 plans.

16 “(6) Providing support for scholarships de-  
17 scribed in section 404E.

18 “(7) Introducing eligible students to institutions  
19 of higher education, through trips and school-based  
20 sessions.

21 “(8) Providing an intensive extended school  
22 day, school year, or summer program that offers—

23 “(A) additional academic classes; or

24 “(B) assistance with college admission ap-  
25 plications.

1           “(9) Providing other activities designed to en-  
 2           sure secondary school completion and postsecondary  
 3           education enrollment of at-risk children, such as—

4                   “(A) the identification of at-risk children;

5                   “(B) after-school and summer tutoring;

6                   “(C) assistance to at-risk children in ob-  
 7           taining summer jobs;

8                   “(D) academic counseling;

9                   “(E) volunteer and parent involvement;

10                  “(F) encouraging former or current par-  
 11           ticipants of a program under this chapter to  
 12           serve as peer counselors;

13                  “(G) skills assessments;

14                  “(H) personal counseling;

15                  “(I) family counseling and home visits;

16                  “(J) staff development; and

17                  “(K) programs and activities described in  
 18           this subsection that are specially designed for  
 19           students who are limited English proficient.

20           “(10) Enabling eligible students to enroll in Ad-  
 21           vanced Placement or International Baccalaureate  
 22           courses; or college entrance examination preparation  
 23           courses.

24           “(11) Providing services to eligible students in  
 25           the participating cohort described in section

1       404B(d)(1)(A), through the first year of attendance  
2       at an institution of higher education.

3       ~~“(e) ADDITIONAL OPTIONAL ACTIVITIES FOR~~  
4       ~~STATES.—~~In addition to the required activities described  
5       in subsection (a) and the optional activities described in  
6       subsection (b), an eligible entity described in section  
7       404A(c)(1) receiving funds under this chapter may use  
8       grant funds to carry out 1 or more of the following activi-  
9       ties:

10           ~~“(1) Providing technical assistance to—~~

11               ~~“(A) middle schools or secondary schools~~  
12               ~~that are located within the State; or~~

13               ~~“(B) partnerships described in section~~  
14               ~~404A(c)(2) that are located within the State.~~

15           ~~“(2) Providing professional development oppor-~~  
16           ~~tunities to individuals working with eligible cohorts~~  
17           ~~of students described in section 404B(d)(1)(A).~~

18           ~~“(3) Providing strategies and activities that~~  
19           ~~align efforts in the State to prepare eligible students~~  
20           ~~for attending and succeeding in postsecondary edu-~~  
21           ~~cation, which may include the development of grad-~~  
22           ~~uation and career plans.~~

23           ~~“(4) Disseminating information on the use of~~  
24           ~~scientifically based research and best practices to~~  
25           ~~improve services for eligible students.~~

1           “(5)(A) Disseminating information on effective  
2           coursework and support services that assist students  
3           in obtaining the goals described in subparagraph  
4           (B)(ii).

5           “(B) Identifying and disseminating information  
6           on best practices with respect to—

7                   “(i) increasing parental involvement; and

8                   “(ii) preparing students, including students  
9                   with disabilities and students who are limited  
10                  English proficient, to succeed academically in;  
11                  and prepare financially for, postsecondary edu-  
12                  cation.

13           “(6) Working to align State academic standards  
14           and curricula with the expectations of postsecondary  
15           institutions and employers.

16           “(7) Developing alternatives to traditional sec-  
17           ondary school that give students a head start on at-  
18           taining a recognized postsecondary credential (in-  
19           cluding an industry certificate, an apprenticeship, or  
20           an associate’s or a bachelor’s degree), including  
21           school designs that give students early exposure to  
22           college-level courses and experiences and allow stu-  
23           dents to earn transferable college credits or an asso-  
24           ciate’s degree at the same time as a secondary  
25           school diploma.

1           “(8) Creating community college programs for  
 2           drop-outs that are personalized drop-out recovery  
 3           programs that allow drop-outs to complete a regular  
 4           secondary school diploma and begin college-level  
 5           work.

6           “(d) PRIORITY STUDENTS.—For eligible entities not  
 7           using a cohort approach, the eligible entity shall treat as  
 8           priority students any student in middle or secondary  
 9           school who is eligible—

10           “(1) to be counted under section 1124(c) of the  
 11           Elementary and Secondary Education Act of 1965;

12           “(2) for free or reduced price meals under the  
 13           Richard B. Russell National School Lunch Act;

14           “(3) for assistance under a State program  
 15           funded under part A or E of title IV of the Social  
 16           Security Act (42 U.S.C. 601 et seq., 670 et seq.);  
 17           or

18           “(4) for assistance under subtitle B of title VII  
 19           of the McKinney-Vento Homeless Assistance Act (42  
 20           U.S.C. 11431 et seq.);

21           “(e) ALLOWABLE PROVIDERS.—In the case of eligible  
 22           entities described in section 404A(c)(1), the activities re-  
 23           quired by this section may be provided by service providers  
 24           such as community-based organizations, schools, institu-  
 25           tions of higher education, public and private agencies;

1 nonprofit and philanthropic organizations, businesses, in-  
 2 stitutions and agencies sponsoring programs authorized  
 3 under subpart 4, and other organizations the State deter-  
 4 mines appropriate.”.

5 (e) SCHOLARSHIP COMPONENT.—Section 404E (20  
 6 U.S.C. 1070a–25) is amended—

7 (1) by striking subsections (e) and (f);

8 (2) by redesignating subsections (b), (e), and  
 9 (d) as subsections (d), (f), and (g), respectively;

10 (3) by inserting after subsection (a) the fol-  
 11 lowing:

12 “(b) LIMITATION.—

13 “(1) IN GENERAL.—Subject to paragraph (2),  
 14 each eligible entity described in section 404A(e)(1)  
 15 that receives a grant under this chapter shall use  
 16 not less than 25 percent and not more than 50 per-  
 17 cent of the grant funds for activities described in  
 18 section 404D (except for the activity described in  
 19 subsection (a)(4) of such section), with the remain-  
 20 der of such funds to be used for a scholarship pro-  
 21 gram under this section in accordance with such  
 22 subsection.

23 “(2) EXCEPTION.—Notwithstanding paragraph  
 24 (1), the Secretary may allow an eligible entity to use  
 25 more than 50 percent of grant funds received under



1       this chapter for such activities, if the eligible entity  
 2       demonstrates that the eligible entity has another  
 3       means of providing the students with the financial  
 4       assistance described in this section and describes  
 5       such means in the application submitted under sec-  
 6       tion 404C.

7       “(c) NOTIFICATION OF ELIGIBILITY.—Each eligible  
 8       entity providing scholarships under this section shall pro-  
 9       vide information on the eligibility requirements for the  
 10       scholarships to all participating students upon the stu-  
 11       dents’ entry into the programs assisted under this chap-  
 12       ter.”;

13               (4) in subsection (d) (as redesignated by para-  
 14       graph (2)), by striking “the lesser of” and all that  
 15       follows through the period at the end of paragraph  
 16       (2) and inserting “the minimum Federal Pell Grant  
 17       award under section 401 for such award year.”;

18               (5) by inserting after subsection (d) (as redesign-  
 19       ated by paragraph (2) and amended by paragraph  
 20       (4)) the following:

21       “(e) PORTABILITY OF ASSISTANCE.—

22               “(1) IN GENERAL.—Each eligible entity de-  
 23       scribed in section 404A(c)(1) that receives a grant  
 24       under this chapter shall create or organize a trust  
 25       for each cohort described in section 404B(d)(1)(A)

for which the grant is sought in the application submitted by the entity, which trust shall be an amount that is not less than the minimum scholarship amount described in subsection (d), multiplied by the number of students participating in the cohort.

~~“(2) REQUIREMENT FOR PORTABILITY.—Funds contributed to the trust for a cohort shall be available to a student in the cohort when the student has—~~

~~“(A) completed a secondary school diploma, its recognized equivalent, or other recognized alternative standard for individuals with disabilities; and~~

~~“(B) enrolled in an institution of higher education.~~

~~“(3) QUALIFIED EDUCATIONAL EXPENSES.—Funds available to an eligible student from a trust may be used for—~~

~~“(A) tuition, fees, books, supplies, and equipment required for the enrollment or attendance of the eligible student at an institution of higher education; and~~

~~“(B) in the case of an eligible student with special needs, expenses for special needs serv-~~

ices which are incurred in connection with such enrollment or attendance.

~~“(4) RETURN OF FUNDS.—~~

~~“(A) REDISTRIBUTION.—~~

~~“(i) IN GENERAL.—Trust funds that are not used by an eligible student within 6 years of the student’s scheduled completion of secondary school may be redistributed by the eligible entity to other eligible students.~~

~~“(ii) RETURN OF EXCESS TO THE SECRETARY.—If, after meeting the requirements of paragraph (1) and, if applicable, redistributing excess funds in accordance with clause (i), an eligible entity has funds remaining, the eligible entity shall return excess funds to the Secretary for distribution to other grantees under this chapter.~~

~~“(B) NONPARTICIPATING ENTITY.—Notwithstanding subparagraph (A), in the case of an eligible entity described in section 404A(c)(1)(A) that does not receive assistance under this subpart for 6 fiscal years, the eligible entity shall return any trust funds not awarded or obligated to eligible students to the~~

1 Secretary for distribution to other grantees  
 2 under this chapter.”; and

3 ~~(6) in subsection (g) (as redesignated by para-~~  
 4 ~~graph (2))—~~

5 (A) in paragraph (2), by striking “1993”  
 6 and inserting “2001”; and

7 (B) in paragraph (4), by striking “early  
 8 intervention component required under section  
 9 404D” and inserting “activities required under  
 10 section 404D(a)”.

11 (f) REPEAL OF 21ST CENTURY SCHOLAR CERTIFI-  
 12 CATES.—Chapter 2 of subpart 2 of part A of title IV (20  
 13 U.S.C. 1070a–21 et seq.) is further amended—

14 (1) by striking section 404F; and

15 (2) by redesignating sections 404G and 404H  
 16 as sections 404F and 404G, respectively.

17 (g) AUTHORIZATION OF APPROPRIATIONS.—Section  
 18 404G (as redesignated by subsection (f)) (20 U.S.C.  
 19 1070a–28) is amended by striking “\$200,000,000 for fis-  
 20 cal year 1999” and all that follows through the period and  
 21 inserting “such sums as may be necessary for fiscal year  
 22 2008 and each of the 5 succeeding fiscal years.”.

23 (h) CONFORMING AMENDMENTS.—Chapter 2 of sub-  
 24 part 2 of part A of title IV (20 U.S.C. 1070a–21 et seq.)  
 25 is further amended—

1           (1) in section 404A(b)(1), by striking “404H”  
2           and inserting “404G”;

3           (2) in section 404B(a)(1), by striking “404H”  
4           and inserting “404G”; and

5           (3) in section 404F(e) (as redesignated by sub-  
6           section (f)(2)), by striking “404H” and inserting  
7           “404G”.

8   **SEC. 405. ACADEMIC ACHIEVEMENT INCENTIVE SCHOLAR-**  
9                                   **SHIPS.**

10          Chapter 3 of subpart 2 of part A of title IV (20  
11   U.S.C. 1070a–31 et seq.) is repealed.

12   **SEC. 406. FEDERAL SUPPLEMENTAL EDUCATIONAL OPPOR-**  
13                                   **TUNITY GRANTS.**

14          (a)    APPROPRIATIONS    AUTHORIZED.—Section  
15   413A(b)(1) (20 U.S.C. 1070b(b)(1)) is amended by strik-  
16   ing “\$675,000,000 for fiscal year 1999” and all that fol-  
17   lows through the period and inserting “such sums as may  
18   be necessary for fiscal year 2008 and each of the 5 suc-  
19   ceeding fiscal years.”.

20          (b)    ALLOCATION OF FUNDS.—

21                (1)   ALLOCATION OF FUNDS.—Section 413D  
22   (20 U.S.C. 1070b–3) is amended—

23                    (A) by striking subsection (a)(4); and

24                    (B) in subsection (c)(3)(D), by striking  
25   “\$450” and inserting “\$600”.

1           (2)       TECHNICAL       CORRECTION.—Section  
 2       413D(a)(1) (20 U.S.C. 1070b–3(a)(1)) is amended  
 3       by striking “such institution” and all that follows  
 4       through the period and inserting “such institution  
 5       received under subsections (a) and (b) of this section  
 6       for fiscal year 1999 (as such subsections were in ef-  
 7       fect with respect to allocations for such fiscal  
 8       year).”.

9   **SEC. 407. LEVERAGING EDUCATIONAL ASSISTANCE PART-**  
 10                   **NERSHIP PROGRAM.**

11       (a)       APPROPRIATIONS       AUTHORIZED.—Section  
 12       415A(b)(1) (20 U.S.C. 1070e(b)(1)) is amended to read  
 13       as follows:

14               “(1) IN GENERAL.—There are authorized to be  
 15       appropriated to carry out this subpart such sums as  
 16       may be necessary for fiscal year 2008 and each of  
 17       the 5 succeeding fiscal years.”.

18       (b)       APPLICATIONS.—Section 415C(b) (20 U.S.C.  
 19       1070e–2(b)) is amended—

20               (1) in the matter preceding subparagraph (A)  
 21       of paragraph (2), by striking “not in excess of  
 22       \$5,000 per academic year” and inserting “not to ex-  
 23       ceed the lesser of \$12,500 or the student’s cost of  
 24       attendance per academic year”; and

1           (2) by striking paragraph (10) and inserting  
2           the following:

3           “(10) provides notification to eligible students  
4           that such grants are—

5                   “(A) Leveraging Educational Assistance  
6                   Partnership grants; and

7                   “(B) funded by the Federal Government,  
8                   the State, and other contributing partners.”.

9           (c) GRANTS FOR ACCESS AND PERSISTENCE.—Sec-  
10          tion 415E (20 U.S.C. 1070e-3a) is amended to read as  
11          follows:

12       **“SEC. 415E. GRANTS FOR ACCESS AND PERSISTENCE.**

13           “(a) PURPOSE.—It is the purpose of this section to  
14          expand college access and increase college persistence by  
15          making allotments to States to enable the States to—

16                   “(1) expand and enhance partnerships with in-  
17                   stitutions of higher education; early information and  
18                   intervention; mentoring; or outreach programs; pri-  
19                   vate corporations; philanthropic organizations; and  
20                   other interested parties in order to—

21                           “(A) carry out activities under this section;  
22                           and

23                           “(B) provide coordination and cohesion  
24                           among Federal, State, and local governmental  
25                           and private efforts that provide financial assist-

1           ance to help low-income students attend an in-  
2           stitution of higher education;

3           ~~“(2) provide need-based grants for access and~~  
4           persistence to eligible low-income students;

5           ~~“(3) provide early notification to low-income~~  
6           students of the students’ eligibility for financial aid;  
7           and

8           ~~“(4) encourage increased participation in early~~  
9           information and intervention, mentoring, or outreach  
10          programs.

11         ~~“(b) ALLOTMENTS TO STATES.—~~

12           ~~“(1) IN GENERAL.—~~

13                 ~~“(A) AUTHORIZATION.—From sums re-~~  
14                 served under section 415A(b)(2) for each fiscal  
15                 year, the Secretary shall make an allotment to  
16                 each State that submits an application for an  
17                 allotment in accordance with subsection (c) to  
18                 enable the State to pay the Federal share, as  
19                 described in paragraph (2), of the cost of ear-  
20                 rying out the activities under subsection (d).

21                 ~~“(B) DETERMINATION OF ALLOTMENT.—~~

22                 In making allotments under subparagraph (A),  
23                 the Secretary shall consider the following:

24                         ~~“(i) CONTINUATION OF AWARD.—If a~~  
25                         State continues to meet the specifications



1           established in such State's application  
 2           under subsection (c), the Secretary shall  
 3           make an allotment to such State that is  
 4           not less than the allotment made to such  
 5           State for the previous fiscal year.

6           “(ii) PRIORITY.—The Secretary shall  
 7           give priority in making allotments to  
 8           States that meet the requirements de-  
 9           scribed in paragraph (2)(A)(ii).

10          “(2) FEDERAL SHARE.—

11           “(A) IN GENERAL.—The Federal share  
 12           under this section shall be determined in ac-  
 13           cordance with the following:

14           “(i) If a State applies for an allot-  
 15           ment under this section in partnership  
 16           with—

17                   “(I) any number of degree grant-  
 18                   ing institutions of higher education in  
 19                   the State whose combined full-time  
 20                   enrollment represents less than a ma-  
 21                   jority of all students attending institu-  
 22                   tions of higher education in the State;  
 23                   and

1                   “(H)(aa) philanthropic organiza-  
2                   tions that are located in, or that pro-  
3                   vide funding in, the State; or

4                   “(bb) private corporations that  
5                   are located in, or that do business in,  
6                   the State;

7                   then the Federal share of the cost of ear-  
8                   rying out the activities under subsection  
9                   (d) shall be equal to 50 percent.

10                  “(ii) If a State applies for an allot-  
11                  ment under this section in partnership  
12                  with—

13                   “(I) any number of degree grant-  
14                   ing institutions of higher education in  
15                   the State whose combined full-time  
16                   enrollment represents a majority of all  
17                   students attending institutions of  
18                   higher education in the State; and

19                   “(H)(aa) philanthropic organiza-  
20                   tions that are located in, or that pro-  
21                   vide funding in, the State; or

22                   “(bb) private corporations that  
23                   are located in, or that do business in,  
24                   the State;

1 then the Federal share of the cost of ear-  
 2 rying out the activities under subsection  
 3 (d) shall be equal to 57 percent.

4 ~~“(B) NON-FEDERAL SHARE.—~~

5 ~~“(i) IN GENERAL.—The non-Federal~~  
 6 ~~share under this section may be provided~~  
 7 ~~in cash or in kind, fully evaluated and in~~  
 8 ~~accordance with this subparagraph.~~

9 ~~“(ii) IN KIND CONTRIBUTION.—For~~  
 10 ~~the purpose of calculating the non-Federal~~  
 11 ~~share under this section, an in kind con-~~  
 12 ~~tribution is a non-cash award that has~~  
 13 ~~monetary value, such as provision of room~~  
 14 ~~and board and transportation passes, and~~  
 15 ~~that helps a student meet the cost of at-~~  
 16 ~~tendance.~~

17 ~~“(iii) EFFECT ON NEED ANALYSIS.—~~  
 18 ~~For the purpose of calculating a student’s~~  
 19 ~~need in accordance with part F of this~~  
 20 ~~title, an in-kind contribution described in~~  
 21 ~~clause (ii) shall not be considered an asset~~  
 22 ~~or income.~~

23 ~~“(e) APPLICATION FOR ALLOTMENT.—~~

24 ~~“(1) IN GENERAL.—~~

1           “(A) SUBMISSION.—A State that desires  
2           to receive an allotment under this section on be-  
3           half of a partnership described in paragraph (3)  
4           shall submit an application to the Secretary at  
5           such time, in such manner, and containing such  
6           information as the Secretary may require.

7           “(B) CONTENT.—An application submitted  
8           under subparagraph (A) shall include the fol-  
9           lowing:

10           “(i) A description of the State’s plan  
11           for using the allotted funds.

12           “(ii) Assurances that the State will  
13           provide the non-Federal share from State,  
14           institutional, philanthropic, or private  
15           funds, of not less than the required share  
16           of the cost of carrying out the activities  
17           under subsection (d), as determined under  
18           subsection (b), in accordance with the fol-  
19           lowing:

20           “(I) The State shall specify the  
21           methods by which non-Federal share  
22           funds will be paid and include provi-  
23           sions designed to ensure that funds  
24           provided under this section will be  
25           used to supplement, and not supplant,

1 Federal and non-Federal funds avail-  
2 able for carrying out the activities  
3 under this title.

4 “(H) A State that uses non-Fed-  
5 eral funds to create or expand existing  
6 partnerships with nonprofit organiza-  
7 tions or community-based organiza-  
8 tions in which such organizations  
9 match State funds for student schol-  
10 arships, may apply such matching  
11 funds from such organizations toward  
12 fulfilling the State’s non-Federal  
13 share obligation under this clause.

14 “(iii) Assurances that early informa-  
15 tion and intervention, mentoring, or out-  
16 reach programs exist within the State or  
17 that there is a plan to make such pro-  
18 grams widely available.

19 “(iv) A description of the organiza-  
20 tional structure that the State has in place  
21 to administer the activities under sub-  
22 section (d), including a description of the  
23 system the State will use to track the par-  
24 ticipation of students who receive grants  
25 under this section to degree completion.

1           “(v) Assurances that the State has a  
 2           method in place, such as acceptance of the  
 3           automatic zero expected family contribu-  
 4           tion determination described in section  
 5           479, to identify eligible low-income stu-  
 6           dents and award State grant aid to such  
 7           students.

8           “(vi) Assurances that the State will  
 9           provide notification to eligible low-income  
 10          students that grants under this section  
 11          are—

12                   “(I) Leveraging Educational As-  
 13                   sistance Partnership Grants; and

14                   “(II) funded by the Federal Gov-  
 15                   ernment, the State, and other contrib-  
 16                   uting partners.

17          “(2) STATE AGENCY.—The State agency that  
 18          submits an application for a State under section  
 19          415C(a) shall be the same State agency that sub-  
 20          mits an application under paragraph (1) for such  
 21          State.

22          “(3) PARTNERSHIP.—In applying for an allot-  
 23          ment under this section, the State agency shall apply  
 24          for the allotment in partnership with—

1           ~~“(A) not less than 1 public and 1 private~~  
 2           ~~degree granting institution of higher education~~  
 3           ~~that are located in the State, if applicable;~~

4           ~~“(B) new or existing early information and~~  
 5           ~~intervention, mentoring, or outreach programs~~  
 6           ~~located in the State; and~~

7           ~~“(C) not less than 1—~~

8           ~~“(i) philanthropic organization located~~  
 9           ~~in, or that provides funding in, the State;~~  
 10          ~~or~~

11          ~~“(ii) private corporation located in, or~~  
 12          ~~that does business in, the State.~~

13          ~~“(4) ROLES OF PARTNERS.—~~

14          ~~“(A) STATE AGENCY.—A State agency~~  
 15          ~~that is in a partnership receiving an allotment~~  
 16          ~~under this section—~~

17          ~~“(i) shall—~~

18                 ~~“(I) serve as the primary admin-~~  
 19                 ~~istrative unit for the partnership;~~

20                 ~~“(II) provide or coordinate non-~~  
 21                 ~~Federal share funds, and coordinate~~  
 22                 ~~activities among partners;~~

23                 ~~“(III) encourage each institution~~  
 24                 ~~of higher education in the State to~~  
 25                 ~~participate in the partnership;~~

1           “(IV) make determinations and  
2           early notifications of assistance as de-  
3           scribed under subsection (d)(2); and

4           “(V) annually report to the Sec-  
5           retary on the partnership’s progress  
6           in meeting the purpose of this section;  
7           and

8           “(ii) may provide early information  
9           and intervention, mentoring, or outreach  
10          programs.

11          “(B) DEGREE GRANTING INSTITUTIONS OF  
12          HIGHER EDUCATION.—A degree granting insti-  
13          tution of higher education that is in a partner-  
14          ship receiving an allotment under this section—

15               “(i) shall—

16               “(I) recruit and admit partici-  
17               pating qualified students and provide  
18               such additional institutional grant aid  
19               to participating students as agreed to  
20               with the State agency;

21               “(II) provide support services to  
22               students who receive grants for access  
23               and persistence under this section and  
24               are enrolled at such institution; and



1                   “(III) assist the State in the  
2                   identification of eligible students and  
3                   the dissemination of early notifica-  
4                   tions of assistance as agreed to with  
5                   the State agency; and

6                   “(ii) may provide funding for early in-  
7                   formation and intervention; mentoring; or  
8                   outreach programs or provide such services  
9                   directly.

10                  “(C) PROGRAMS.—An early information  
11                  and intervention; mentoring; or outreach pro-  
12                  gram that is in a partnership receiving an allot-  
13                  ment under this section shall provide direct  
14                  services; support; and information to partici-  
15                  pating students.

16                  “(D) PHILANTHROPIC ORGANIZATION OR  
17                  PRIVATE CORPORATION.—A philanthropic orga-  
18                  nization or private corporation that is in a part-  
19                  nership receiving an allotment under this sec-  
20                  tion shall provide funds for grants for access  
21                  and persistence for participating students; or  
22                  provide funds or support for early information  
23                  and intervention; mentoring; or outreach pro-  
24                  grams.

25                  “(d) AUTHORIZED ACTIVITIES.—

1           “(1) IN GENERAL.—

2           “(A) ESTABLISHMENT OF PARTNER-  
3           SHIP.—Each State receiving an allotment under  
4           this section shall use the funds to establish a  
5           partnership to award grants for access and per-  
6           sistence to eligible low-income students in order  
7           to increase the amount of financial assistance  
8           such students receive under this subpart for un-  
9           dergraduate education expenses.

10          “(B) AMOUNT OF GRANTS.—

11          “(i) PARTNERSHIPS WITH INSTITU-  
12          TIONS SERVING LESS THAN A MAJORITY  
13          OF STUDENTS IN THE STATE.—

14          “(I) IN GENERAL.—In the case  
15          where a State receiving an allotment  
16          under this section is in a partnership  
17          described in subsection (b)(2)(A)(i),  
18          the amount of a grant for access and  
19          persistence awarded by such State  
20          shall be not less than the amount that  
21          is equal to the average undergraduate  
22          tuition and mandatory fees at 4-year  
23          public institutions of higher education  
24          in the State where the student resides  
25          (less any other Federal or State spon-

1           sored grant amount, work study  
2           amount, and scholarship amount re-  
3           ceived by the student); and such  
4           amount shall be used toward the cost  
5           of attendance at an institution of  
6           higher education located in the State.

7           “(H) COST OF ATTENDANCE.—A

8           State that has a program, apart from  
9           the partnership under this section, of  
10          providing eligible low-income students  
11          with grants that are equal to the aver-  
12          age undergraduate tuition and man-  
13          datory fees at 4-year public institu-  
14          tions of higher education in the State;  
15          may increase the amount of grants for  
16          access and persistence awarded by  
17          such State up to an amount that is  
18          equal to the average cost of attend-  
19          ance at 4-year public institutions of  
20          higher education in the State (less  
21          any other Federal or State sponsored  
22          grant amount, work study amount,  
23          and scholarship amount received by  
24          the student).

1           “(ii) PARTNERSHIPS WITH INSTITU-  
2           TIONS SERVING THE MAJORITY OF STU-  
3           DENTS IN THE STATE.—In the case where  
4           a State receiving an allotment under this  
5           section is in a partnership described in  
6           subsection (b)(2)(A)(ii), the amount of a  
7           grant for access and persistence awarded  
8           by such State shall be not more than an  
9           amount that is equal to the average cost of  
10          attendance at 4-year public institutions of  
11          higher education in the State where the  
12          student resides (less any other Federal or  
13          State sponsored grant amount, college  
14          work study amount, and scholarship  
15          amount received by the student); and such  
16          amount shall be used by the student to at-  
17          tend an institution of higher education lo-  
18          cated in the State.

19          “(C) SPECIAL RULES.—

20                 “(i) PARTNERSHIP INSTITUTIONS.—A  
21                 State receiving an allotment under this  
22                 section may restrict the use of grants for  
23                 access and persistence under this section  
24                 by awarding the grants only to students

1 attending institutions of higher education  
 2 that are participating in the partnership.

3 ~~“(ii) OUT-OF-STATE INSTITUTIONS.—~~

4 If a State provides grants through another  
 5 program under this subpart to students at-  
 6 tending institutions of higher education lo-  
 7 cated in another State, such agreement  
 8 may also apply to grants awarded under  
 9 this section.

10 ~~“(2) EARLY NOTIFICATION.—~~

11 ~~“(A) IN GENERAL.—Each State receiving~~  
 12 ~~an allotment under this section shall annually~~  
 13 ~~notify low-income students, such as students~~  
 14 ~~who are eligible to receive a free lunch under~~  
 15 ~~the school lunch program established under the~~  
 16 ~~Richard B. Russell National School Lunch Act,~~  
 17 ~~in grade 7 through grade 12 in the State, of~~  
 18 ~~the students’ potential eligibility for student fi-~~  
 19 ~~nancial assistance, including a grant for access~~  
 20 ~~and persistence, to attend an institution of~~  
 21 ~~higher education.~~

22 ~~“(B) CONTENT OF NOTICE.—The notifica-~~  
 23 ~~tion under subparagraph (A)—~~

24 ~~“(i) shall include—~~

1           “(I) information about early in-  
2 formation and intervention, men-  
3 toring, or outreach programs available  
4 to the student;

5           “(II) information that a stu-  
6 dent’s candidacy for a grant for ac-  
7 cess and persistence is enhanced  
8 through participation in an early in-  
9 formation and intervention, men-  
10 toring, or outreach program;

11          “(III) an explanation that stu-  
12 dent and family eligibility and partici-  
13 pation in other Federal means-tested  
14 programs may indicate eligibility for a  
15 grant for access and persistence and  
16 other student aid programs;

17          “(IV) a nonbinding estimation of  
18 the total amount of financial aid a  
19 low-income student with a similar in-  
20 come level may expect to receive, in-  
21 cluding an estimation of the amount  
22 of a grant for access and persistence  
23 and an estimation of the amount of  
24 grants, loans, and all other available

1 types of aid from the major Federal  
2 and State financial aid programs;

3 “(V) an explanation that in order  
4 to be eligible for a grant for access  
5 and persistence, at a minimum, a stu-  
6 dent shall—

7 “(aa) meet the requirement  
8 under paragraph (3);

9 “(bb) graduate from sec-  
10 ondary school; and

11 “(cc) enroll at an institution  
12 of higher education that is a  
13 partner in the partnership or  
14 qualifies under subsection  
15 (d)(1)(C)(ii);

16 “(VI) information on any addi-  
17 tional requirements (such as a student  
18 pledge detailing student responsibil-  
19 ities) that the State may impose for  
20 receipt of a grant for access and per-  
21 sistence under this section; and

22 “(VII) instructions on how to  
23 apply for a grant for access and per-  
24 sistence and an explanation that a  
25 student is required to file a Free Ap-

1           plication for Federal Student Aid au-  
 2           thorized under section 483(a) to be el-  
 3           igible for such grant and assistance  
 4           from other Federal and State finan-  
 5           cial aid programs; and

6           “(ii) may include a disclaimer that  
 7           grant awards for access and persistence  
 8           are contingent upon—

9                   “(I) a determination of the stu-  
 10           dent’s financial eligibility at the time  
 11           of the student’s enrollment at an in-  
 12           stitution of higher education that is a  
 13           partner in the partnership or qualifies  
 14           under subsection (d)(1)(C)(ii);

15                   “(II) annual Federal and State  
 16           appropriations; and

17                   “(III) other aid received by the  
 18           student at the time of the student’s  
 19           enrollment at such institution of high-  
 20           er education.

21           “(3) ELIGIBILITY.—In determining which stu-  
 22           dents are eligible to receive grants for access and  
 23           persistence, the State shall ensure that each such  
 24           student meets not less than 1 of the following:



1           “(A) Meets not less than 2 of the following  
2           criteria, with priority given to students meeting  
3           all of the following criteria:

4                   “(i) Has an expected family contribu-  
5                   tion equal to zero (as described in section  
6                   479) or a comparable alternative based  
7                   upon the State’s approved criteria in sec-  
8                   tion 415C(b)(4).

9                   “(ii) Has qualified for a free lunch, or  
10                  at the State’s discretion a reduced price  
11                  lunch, under the school lunch program es-  
12                  tablished under the Richard B. Russell Na-  
13                  tional School Lunch Act.

14                  “(iii) Qualifies for the State’s max-  
15                  imum undergraduate award, as authorized  
16                  under section 415C(b).

17                  “(iv) Is participating in, or has par-  
18                  ticipated in, a Federal, State, institutional,  
19                  or community early information and inter-  
20                  vention, mentoring, or outreach program,  
21                  as recognized by the State agency admin-  
22                  istering activities under this section.

23           “(B) Is receiving, or has received, a grant  
24           for access and persistence under this section, in  
25           accordance with paragraph (5).

1           “(4) GRANT AWARD.—Once a student, includ-  
 2           ing those students who have received early notifica-  
 3           tion under paragraph (2) from the State, applies for  
 4           admission to an institution that is a partner in the  
 5           partnership, files a Free Application for Federal  
 6           Student Aid and any related existing State form,  
 7           and is determined eligible by the State under para-  
 8           graph (3), the State shall—

9                   “(A) issue the student a preliminary award  
 10           certificate for a grant for access and persistence  
 11           with tentative award amounts; and

12                   “(B) inform the student that payment of  
 13           the grant for access and persistence award  
 14           amounts is subject to certification of enrollment  
 15           and award eligibility by the institution of higher  
 16           education.

17           “(5) DURATION OF AWARD.—An eligible stu-  
 18           dent that receives a grant for access and persistence  
 19           under this section shall receive such grant award for  
 20           each year of such student’s undergraduate education  
 21           in which the student remains eligible for assistance  
 22           under this title, including pursuant to section  
 23           484(e), and remains financially eligible as deter-  
 24           mined by the State, except that the State may im-  
 25           pose reasonable time limits to degree completion.

1       “(e) USE OF FUNDS FOR ADMINISTRATIVE COSTS  
 2 PROHIBITED.—A State that receives an allotment under  
 3 this section shall not use any of the allotted funds to pay  
 4 administrative costs associated with any of the authorized  
 5 activities described in subsection (d).

6       “(f) STATUTORY AND REGULATORY RELIEF FOR IN-  
 7 STITUTIONS OF HIGHER EDUCATION.—The Secretary  
 8 may grant, upon the request of an institution of higher  
 9 education that is in a partnership described in subsection  
 10 (b)(2)(A)(ii) and that receives an allotment under this sec-  
 11 tion, a waiver for such institution from statutory or regu-  
 12 latory requirements that inhibit the ability of the institu-  
 13 tion to successfully and efficiently participate in the activi-  
 14 ties of the partnership.

15       “(g) APPLICABILITY RULE.—The provisions of this  
 16 subpart which are not inconsistent with this section shall  
 17 apply to the program authorized by this section.

18       “(h) MAINTENANCE OF EFFORT REQUIREMENT.—  
 19 Each State receiving an allotment under this section for  
 20 a fiscal year shall provide the Secretary with an assurance  
 21 that the aggregate amount expended per student or the  
 22 aggregate expenditures by the State, from funds derived  
 23 from non-Federal sources, for the authorized activities de-  
 24 scribed in subsection (d) for the preceding fiscal year were  
 25 not less than the amount expended per student or the ag-

1 aggregate expenditure by the State for the activities for the  
 2 second preceding fiscal year.

3 “(i) ~~SPECIAL RULE.~~—Notwithstanding subsection  
 4 (h), for purposes of determining a State’s share of the cost  
 5 of the authorized activities described in subsection (d), the  
 6 State shall consider only those expenditures from non-  
 7 Federal sources that exceed the State’s total expenditures  
 8 for need-based grants, scholarships, and work-study as-  
 9 sistance for fiscal year 1999 (including any such assist-  
 10 ance provided under this subpart).

11 “(j) ~~CONTINUATION AND TRANSITION.~~—For the 2-  
 12 year period that begins on the date of enactment of the  
 13 Higher Education Amendments of 2007, the Secretary  
 14 shall continue to award grants under section 415E of the  
 15 Higher Education Act of 1965 as such section existed on  
 16 the day before the date of enactment of such Act to States  
 17 that choose to apply for grants under such predecessor  
 18 section.

19 “(k) ~~REPORTS.~~—Not later than 3 years after the  
 20 date of enactment of the Higher Education Amendments  
 21 of 2007 and annually thereafter, the Secretary shall sub-  
 22 mit a report describing the activities and the impact of  
 23 the partnerships under this section to the authorizing  
 24 committees.”.

1 **SEC. 408. SPECIAL PROGRAMS FOR STUDENTS WHOSE FAM-**  
 2 **ILIES ARE ENGAGED IN MIGRANT AND SEA-**  
 3 **SONAL FARMWORK.**

4 Section 418A (20 U.S.C. 1070d-2) is amended—

5 (1) in subsection (b)—

6 (A) in paragraph (1)(B)(i), by striking  
 7 “parents” and inserting “immediate family”;

8 (B) in paragraph (3)(B), by inserting “(in-  
 9 cluding preparation for college entrance exami-  
 10 nations)” after “college program”;

11 (C) in paragraph (5), by striking “weekly”;

12 (D) in paragraph (7), by striking “and”  
 13 after the semicolon;

14 (E) in paragraph (8)—

15 (i) by inserting “(such as transpor-  
 16 tation and child care)” after “services”;  
 17 and

18 (ii) by striking the period at the end  
 19 and inserting “; and”; and

20 (F) by adding at the end the following:

21 “(9) other activities to improve persistence and  
 22 retention in postsecondary education.”;

23 (2) in subsection (c)—

24 (A) in paragraph (1)—

25 (i) in subparagraph (A), by striking  
 26 “parents” and inserting “family”;

1 (ii) in subparagraph (B)—

2 (I) in the matter preceding clause  
3 (i), by inserting “to improve place-  
4 ment, persistence, and retention in  
5 postsecondary education” after “serv-  
6 ices”; and

7 (II) in clause (i), by striking  
8 “and career” and inserting “career,  
9 and economic education or personal fi-  
10 nance”;

11 (iii) in subparagraph (E), by striking  
12 “and” after the semicolon;

13 (iv) by redesignating subparagraph  
14 (F) as subparagraph (G);

15 (v) by inserting after subparagraph  
16 (E) the following:

17 “(F) internships; and”; and

18 (vi) in subparagraph (G) (as redesign-  
19 ated by clause (iv)), by striking “support  
20 services” and inserting “essential sup-  
21 portive services (such as transportation  
22 and child care)”; and

23 (B) in paragraph (2)—

24 (i) in subparagraph (A), by striking  
25 “and” after the semicolon;

1                   (ii) in subparagraph (B), by striking  
 2                   the period at the end and inserting “, and  
 3                   coordinating such services, assistance, and  
 4                   aid with other non-program services, as-  
 5                   sistance, and aid, including services, assist-  
 6                   ance, and aid provided by community-  
 7                   based organizations, which may include  
 8                   mentoring and guidance; and”;

9                   (iii) by adding at the end the fol-  
 10                  lowing:

11               “(C) for students attending 2-year institutions  
 12               of higher education, encouraging the students to  
 13               transfer to 4-year institutions of higher education,  
 14               where appropriate, and monitoring the rate of trans-  
 15               fer of such students.”;

16               (3) in subsection (e), by striking “section  
 17               402A(e)(1)” and inserting “section 402A(e)(2)”;

18               (4) in subsection (f)—

19                   (A) in paragraph (1), by striking  
 20                   “\$150,000” and inserting “\$180,000”; and

21                   (B) in paragraph (2), by striking  
 22                   “\$150,000” and inserting “\$180,000”;

23               (5) by redesignating subsections (g) and (h) as  
 24               subsections (h) and (i), respectively;

1           (6) by inserting after subsection (f) the fol-  
 2       lowing:

3       “~~(g)~~ RESERVATION OF FUNDS.—From the amounts  
 4       made available under subsection (i), the Secretary may re-  
 5       serve not more than a total of  $\frac{1}{2}$  of 1 percent for outreach  
 6       activities, technical assistance, and professional develop-  
 7       ment programs relating to the programs under subsection  
 8       (a).”;

9           (7) by striking subsection (h) (as redesignated  
 10      by paragraph (5)) and inserting the following:

11      “~~(h)~~ DATA COLLECTION.—The Commissioner for  
 12      Education Statistics shall—

13           “(1) annually collect data on persons receiving  
 14      services authorized under this subpart regarding  
 15      such persons’ rates of secondary school graduation,  
 16      entrance into postsecondary education, and comple-  
 17      tion of postsecondary education;

18           “(2) not less often than once every 2 years, pre-  
 19      pare and submit a report based on the most recently  
 20      available data under paragraph (1) to the author-  
 21      izing committees; and

22           “(3) make such report available to the public.”;  
 23      and

24           (8) in subsection (i) (as redesignated by para-  
 25      graph (5))—



1           (A) in paragraph (1), by striking  
 2           “\$15,000,000 for fiscal year 1999” and all that  
 3           follows through the period and inserting “such  
 4           sums as may be necessary for fiscal year 2008  
 5           and each of the 5 succeeding fiscal years.”; and

6           (B) in paragraph (2), by striking  
 7           “\$5,000,000 for fiscal year 1999” and all that  
 8           follows through the period and inserting “such  
 9           sums as may be necessary for fiscal year 2008  
 10          and each of the 5 succeeding fiscal years.”.

11 **SEC. 409. ROBERT C. BYRD HONORS SCHOLARSHIP PRO-**  
 12 **GRAM.**

13       (a) **ELIGIBILITY OF SCHOLARS.**—Section 419F(a)  
 14       (20 U.S.C. 1070d–36(a)) is amended by inserting “(or a  
 15       home school, whether treated as a home school or a private  
 16       school under State law)” after “public or private sec-  
 17       ondary school”.

18       (b) **AUTHORIZATION OF APPROPRIATIONS.**—Section  
 19       419K (20 U.S.C. 1070d–41) is amended by striking  
 20       “\$45,000,000 for fiscal year 1999” and all that follows  
 21       through the period and inserting “such sums as may be  
 22       necessary for fiscal year 2008 and each of the 5 suc-  
 23       ceeding fiscal years.”.

1 **SEC. 410. CHILD CARE ACCESS MEANS PARENTS IN**  
 2 **SCHOOL.**

3 (a) **MINIMUM GRANT.**—Section 419N(b)(2)(B) (20  
 4 U.S.C. 1070e(b)(2)(B)) is amended—

5 (1) by striking “A grant” and inserting the fol-  
 6 lowing:

7 “(i) **IN GENERAL.**—Except as pro-  
 8 vided in clause (ii), a grant”; and

9 (2) by adding at the end the following:

10 “(ii) **INCREASE TRIGGER.**—For any  
 11 fiscal year for which the amount appro-  
 12 priated under the authority of subsection  
 13 (g) is equal to or greater than  
 14 \$20,000,000, a grant under this section  
 15 shall be awarded in an amount that is not  
 16 less than \$30,000.”.

17 (b) **DEFINITION OF LOW-INCOME STUDENT.**—Para-  
 18 graph (7) of section 419N(b) (20 U.S.C. 1070e(b)) is  
 19 amended to read as follows:

20 “(7) **DEFINITION OF LOW-INCOME STUDENT.**—

21 For the purpose of this section, the term ‘low-income  
 22 student’ means a student who—

23 “(A) is eligible to receive a Federal Pell  
 24 Grant for the fiscal year for which the deter-  
 25 mination is made; or

1           “(B) would otherwise be eligible to receive  
2           a Federal Pell Grant for the fiscal year for  
3           which the determination is made, except that  
4           the student fails to meet the requirements of—

5                   “(i) section 401(e)(1) because the stu-  
6                   dent is enrolled in a graduate or first pro-  
7                   fessional course of study; or

8                   “(ii) section 484(a)(5) because the  
9                   student is in the United States for a tem-  
10                  porary purpose.”.

11       (e) AUTHORIZATION OF APPROPRIATIONS.—Section  
12   419N(g) (20 U.S.C. 1070e(g)) is amended by striking  
13   “\$45,000,000 for fiscal year 1999” and all that follows  
14   through the period and inserting “such sums as may be  
15   necessary for fiscal year 2008 and each of the 5 suc-  
16   ceeding fiscal years.”.

17   **SEC. 411. LEARNING ANYTIME ANYWHERE PARTNERSHIPS.**

18       Subpart 8 of part A of title IV (20 U.S.C. 1070f et  
19   seq.) is repealed.

20       **PART B—FEDERAL FAMILY EDUCATION LOAN**  
21                                   **PROGRAM**

22   **SEC. 421. FEDERAL PAYMENTS TO REDUCE STUDENT IN-**  
23                                   **TEREST COSTS.**

24       Section 428 (as amended by this Act) (20 U.S.C.  
25   1078) is further amended—

1           ~~(1)~~ in subsection (b)—

2                   ~~(A)~~ in paragraph (1)—

3                           ~~(i)~~ in subparagraph (X), by striking  
4           “and” after the semicolon;

5                           ~~(ii)~~ in subparagraph (Y)—

6                                   ~~(I)~~ by striking clause (i) and in-  
7                                   serting the following:

8                                   “~~(i)~~ the lender shall determine the eli-  
9                                   gibility of a borrower for a deferment de-  
10                                  scribed in subparagraph (M)(i) based on—

11   ~~“(I)~~ receipt of a request for  
12   deferment from the borrower and doc-  
13   umentation of the borrower’s eligi-  
14   bility for the deferment;

15   ~~“(II)~~ receipt of a newly com-  
16   pleted loan application that docu-  
17   ments the borrower’s eligibility for a  
18   deferment;

19   ~~“(III)~~ receipt of student status  
20   information received by the lender  
21   that the borrower is enrolled on at  
22   least a half-time basis; or

23   ~~“(IV)~~ the lender’s confirmation  
24   of the borrower’s half-time enrollment  
25   status through use of the National

1                   Student Loan Data System, if the  
2                   confirmation is requested by the insti-  
3                   tution of higher education.”; and

4                   (H) in clause (ii), by striking the  
5                   period at the end and inserting “;  
6                   and”; and

7                   (iii) by adding at the end the fol-  
8                   lowing:

9                   “(Z) provides that the lender shall, at the  
10                  time the lender grants a deferment to a bor-  
11                  rower who received a loan under section 428H  
12                  and is eligible for a deferment under section  
13                  428(b)(1)(M), provide information to the bor-  
14                  rower to enable the borrower to understand the  
15                  impact of capitalization of interest on the bor-  
16                  rower’s loan principal and total amount of in-  
17                  terest to be paid during the life of the loan.”;

18                  (B) in paragraph (2)(F)—

19                   (i) in clause (i)—

20                   (I) in subclause (III), by striking  
21                   “and” after the semicolon;

22                   (H) in subclause (IV), by striking  
23                   “and” after the semicolon; and

24                   (III) by adding at the end the  
25                   following:

1                   “(V) the effective date of the  
2                   transfer;

3                   “(VI) the date the current  
4                   servicer will stop accepting payments;  
5                   and

6                   “(VII) the date at which the new  
7                   servicer will begin accepting pay-  
8                   ments.”; and

9                   (C) by striking paragraph (3) and insert-  
10                  ing the following:

11                  “(3) RESTRICTIONS ON INDUCEMENTS, PAY-  
12                  MENTS, MAILINGS, AND ADVERTISING.—A guaranty  
13                  agency shall not—

14                   “(A) offer, directly or indirectly, premiums,  
15                   payments, stock or other securities, prizes, trav-  
16                   el, entertainment expenses, tuition repayment,  
17                   or other inducements to—

18                   “(i) any institution of higher edu-  
19                   cation or the employees of an institution of  
20                   higher education in order to secure appli-  
21                   cants for loans made under this part; or

22                   “(ii) any lender, or any agent, em-  
23                   ployee, or independent contractor of any  
24                   lender or guaranty agency, in order to ad-  
25                   minister or market loans made under this

1 part (other than a loan made under section  
2 428H or a loan made as part of the guar-  
3 anty agency's lender-of-last-resort program  
4 pursuant to section 429(q)) for the pur-  
5 pose of securing the designation of the  
6 guaranty agency as the insurer of such  
7 loans;

8 “(B) conduct unsolicited mailings, by post-  
9 al or electronic means, of educational loan ap-  
10 plication forms to students enrolled in sec-  
11 ondary school or postsecondary educational in-  
12 stitutions, or to the parents of such students,  
13 except that applications may be mailed, by post-  
14 al or electronic means, to students or borrowers  
15 who have previously received loans guaranteed  
16 under this part by the guaranty agency;

17 “(C) perform, for an institution of higher  
18 education participating in a program under this  
19 title, any function that the institution is re-  
20 quired to perform under part B, D, or G;

21 “(D) pay, on behalf of the institution of  
22 higher education, another person to perform  
23 any function that the institution of higher edu-  
24 cation is required to perform under part B, D,  
25 or G; or

1           “(E) conduct fraudulent or misleading ad-  
 2           vertising concerning loan availability, terms, or  
 3           conditions.

4           It shall not be a violation of this paragraph for a  
 5           guaranty agency to provide technical assistance to  
 6           institutions of higher education comparable to the  
 7           technical assistance provided to institutions of high-  
 8           er education by the Department.”; and

9           (2) in subsection (c)—

10           (A) in paragraph (2)(H)(i), by striking  
 11           “preclaims” and inserting “default aversion”;  
 12           and

13           (B) in paragraph (3)(C)—

14           (i) in clause (i), by striking “and”  
 15           after the semicolon;

16           (ii) in clause (ii), by striking “and”  
 17           after the semicolon; and

18           (iii) by inserting after clause (ii) the  
 19           following:

20           “(iii) the lender shall, at the time of  
 21           granting a borrower forbearance, provide  
 22           information to the borrower to enable the  
 23           borrower to understand the impact of cap-  
 24           italization of interest on the borrower’s



1 loan principal and total amount of interest  
2 to be paid during the life of the loan; and

3 “(iv) the lender shall contact the bor-  
4 rower not less often than once every 180  
5 days during the period of forbearance to  
6 inform the borrower of—

7 “(I) the amount of unpaid prin-  
8 cipal and the amount of interest that  
9 has accrued since the last statement  
10 of such amounts provided to the bor-  
11 rower by the lender;

12 “(II) the fact that interest will  
13 accrue on the loan for the period of  
14 forbearance;

15 “(III) the amount of interest that  
16 will be capitalized, and the date on  
17 which capitalization will occur;

18 “(IV) the ability of the borrower  
19 to pay the interest that has accrued  
20 before the interest is capitalized; and

21 “(V) the borrower’s option to dis-  
22 continue the forbearance at any time;  
23 and”.

1 **SEC. 422. FEDERAL CONSOLIDATION LOANS.**

2 (a) AMENDMENTS.—Section 428C(b)(1) (20 U.S.C.  
3 1078–3(b)(1)) is amended—

4 (1) in subparagraph (E), by striking “and”  
5 after the semicolon;

6 (2) by redesignating subparagraph (F) as sub-  
7 paragraph (H); and

8 (3) by inserting after subparagraph (E) the fol-  
9 lowing:

10 “(F) that the lender will disclose, in a  
11 clear and conspicuous manner, to borrowers  
12 who consolidate loans made under part E of  
13 this title—

14 “(i) that once the borrower adds the  
15 borrower’s Federal Perkins Loan to a Fed-  
16 eral Consolidation Loan, the borrower will  
17 lose all interest-free periods that would  
18 have been available, such as those periods  
19 when no interest accrues on the Federal  
20 Perkins Loan while the borrower is en-  
21 rolled in school at least half-time, during  
22 the grace period, and during periods when  
23 the borrower’s student loan repayments  
24 are deferred;

25 “(ii) that the borrower will no longer  
26 be eligible for loan forgiveness of Federal

Perkins Loans under any provision of section 465; and

“(iii) the occupations described in section 465(a)(2), individually and in detail, for which the borrower will lose eligibility for Federal Perkins Loan forgiveness; and

“(G) that the lender shall, upon application for a consolidation loan, provide the borrower with information about the possible impact of loan consolidation, including—

“(i) the total interest to be paid and fees to be paid on the consolidation loan, and the length of repayment for the loan;

“(ii) whether consolidation would result in a loss of loan benefits under this part or part D, including loan forgiveness, cancellation, and deferment;

“(iii) in the case of a borrower that plans to include a Federal Perkins Loan under part E in the consolidation loan, that once the borrower adds the borrower’s Federal Perkins Loan to a consolidation loan—

“(I) the borrower will lose all interest-free periods that would have

1           been available for such loan under  
2           part E, such as the periods during  
3           which no interest accrues on the Fed-  
4           eral Perkins Loan while the borrower  
5           is enrolled in school at least half-time,  
6           the grace period, and the periods dur-  
7           ing which the borrower's student loan  
8           repayments are deferred under section  
9           464(c)(2); and

10           “(H) the borrower will no longer  
11           be eligible for cancellation of part or  
12           all of a Federal Perkins loan under  
13           section 465(a);

14           “(iv) the ability of the borrower to  
15           prepay the consolidation loan, pay such  
16           loan on a shorter schedule, and to change  
17           repayment plans;

18           “(v) that borrower benefit programs  
19           for a consolidation loan may vary among  
20           different lenders;

21           “(vi) the consequences of default on  
22           the consolidation loan; and

23           “(vii) that by applying for a consolida-  
24           tion loan, the borrower is not obligated to  
25           agree to take the consolidation loan; and”.

1       (b) CONFORMING AMENDMENT.—Section 455(g) (20  
 2 U.S.C. 1087e(g)) is amended by striking “428C(b)(1)(F)”  
 3 and inserting “428C(b)(1)(H)”.

4 **SEC. 423. DEFAULT REDUCTION PROGRAM.**

5       Section 428F (20 U.S.C. 1078–6) is amended by  
 6 adding at the end the following:

7       “(c) FINANCIAL AND ECONOMIC LITERACY.—Where  
 8 appropriate as determined by the institution of higher edu-  
 9 cation in which a borrower is enrolled, each program de-  
 10 scribed in subsection (b) shall include making available fi-  
 11 nancial and economic education materials for the bor-  
 12 rower, including making the materials available before,  
 13 during, or after rehabilitation of a loan.”.

14 **SEC. 424. REPORTS TO CONSUMER REPORTING AGENCIES**  
 15 **AND INSTITUTIONS OF HIGHER EDUCATION.**

16       Section 430A (20 U.S.C. 1080a) is amended—

17       (1) in the section heading, by striking “**CRED-**  
 18 **IT BUREAUS**” and inserting “**CONSUMER RE-**  
 19 **PORTING AGENCIES**”; and

20       (2) in subsection (a)—

21       (A) in the first sentence, by striking “with  
 22 credit bureau organizations” and inserting  
 23 “with each consumer reporting agency that  
 24 compiles and maintains files on consumers on a  
 25 nationwide basis (as defined in section 603(p))

1 of the Fair Credit Reporting Act (15 U.S.C.  
2 1681a(p))”;

3 (B) by redesignating paragraphs (1), (2),  
4 and (3) as paragraphs (2), (4), and (5), respec-  
5 tively;

6 (C) by inserting before paragraph (2) (as  
7 redesignated by subparagraph (B)), the fol-  
8 lowing:

9 “(1) the type of loan made, insured, or guaran-  
10 teed under this title,”;

11 (D) by inserting after paragraph (2) (as  
12 redesignated by subparagraph (B)), the fol-  
13 lowing:

14 “(3) information concerning the repayment sta-  
15 tus of the loan, which information shall be included  
16 in the file of the borrower, except that nothing in  
17 this subsection shall be construed to affect any oth-  
18 erwise applicable provision of the Fair Credit Re-  
19 porting Act (15 U.S.C. 1681 et seq.)”;

20 (E) in paragraph (4) (as redesignated by  
21 subparagraph (B)), by striking “and” after the  
22 semicolon;

23 (F) in paragraph (5) (as redesignated by  
24 subparagraph (B)), by striking the period and  
25 inserting “; and”; and

1                   (G) by adding at the end the following:

2                   “(6) any other information required to be re-  
3                   ported by Federal law.”.

4   **SEC. 425. COMMON FORMS AND FORMATS.**

5           Section       432(m)(1)(D)(i)       (20       U.S.C.  
6 1082(m)(1)(D)(i)) is amended by adding at the end the  
7 following: “Unless otherwise notified by the Secretary,  
8 each institution of higher education that participates in  
9 the program under this part or part D may use a master  
10 promissory note for loans under this part and part D.”.

11   **SEC. 426. STUDENT LOAN INFORMATION BY ELIGIBLE**  
12                   **LENDERS.**

13       Section 432 (20 U.S.C. 1082) is amended by adding  
14 at the end the following:

15       “(f) BORROWER INFORMATION AND PRIVACY.—Each  
16 entity participating in a program under this part that is  
17 subject to subtitle A of title V of the Gramm-Leach-Bliley  
18 Act (15 U.S.C. 6801 et seq.) shall only use, release, dis-  
19 close, sell, transfer, or give student information, including  
20 the name, address, social security number, or amount bor-  
21 rowed by a borrower or a borrower’s parent, in accordance  
22 with the provisions of such subtitle.

23       “(g) LOAN BENEFIT DISCLOSURES.—

24               “(1) IN GENERAL.—Each eligible lender, hold-  
25       er, or servicer of a loan made, insured, or guaran-

1       teed under this part shall provide the borrower with  
2       information on the loan benefit repayment options  
3       the lender, holder, or servicer offer, including infor-  
4       mation on reductions in interest rates—

5               “(A) by repaying the loan by automatic  
6       payroll or checking account deduction;

7               “(B) by completing a program of on-time  
8       repayment; and

9               “(C) under any other interest rate reduc-  
10      tion program.

11       “(2) INFORMATION.—Such borrower informa-  
12      tion shall include—

13               “(A) any limitations on such options;

14               “(B) explicit information on the reasons a  
15      borrower may lose eligibility for such an option;

16               “(C) examples of the impact the interest  
17      rate reductions will have on a borrower’s time  
18      for repayment and amount of repayment;

19               “(D) upon the request of the borrower, the  
20      effect the reductions in interest rates will have  
21      with respect to the borrower’s payoff amount  
22      and time for repayment; and

23               “(E) information on borrower recertifi-  
24      cation requirements.”.



1 **SEC. 427. CONSUMER EDUCATION INFORMATION.**

2 Part B (20 U.S.C. 1071 et seq.) is amended by in-  
 3 serting after section 433 (20 U.S.C. 1083) the following:

4 **“SEC. 433A. CONSUMER EDUCATION INFORMATION.**

5 “Each guaranty agency participating in a program  
 6 under this part working with the institutions of higher  
 7 education served by such guaranty agency (or in the case  
 8 of an institution of higher education that provides loans  
 9 exclusively through part D, the institution working with  
 10 a guaranty agency or with the Secretary) shall develop and  
 11 make available a quality educational program and mate-  
 12 rials to provide training for students in budgeting and fi-  
 13 nancial management, including debt management and  
 14 other aspects of financial literacy, such as the cost of using  
 15 very high interest loans to pay for postsecondary edu-  
 16 cation, particularly as budgeting and financial manage-  
 17 ment relates to student loan programs authorized by this  
 18 title. Nothing in this section shall be construed to prohibit  
 19 a guaranty agency from using an existing program or ex-  
 20 isting materials to meet the requirement of this section.  
 21 The activities described in this section shall be considered  
 22 default reduction activities for the purposes of section  
 23 422.”.

24 **SEC. 428. DEFINITION OF ELIGIBLE LENDER.**

25 Section 435(d) (20 U.S.C. 1085(d)) is amended—  
 26 (1) in paragraph (5)—

1           (A) by redesignating subparagraphs (C)  
2           and (D) as subparagraphs (H) and (I), respec-  
3           tively; and

4           (B) by striking subparagraphs (A) and (B)  
5           and inserting the following:

6           “(A) offered, directly or indirectly, points,  
7           premiums, payments (including payments for  
8           referrals and for processing or finder fees),  
9           prizes, stock or other securities, travel, enter-  
10          tainment expenses, tuition repayment, the pro-  
11          vision of information technology equipment at  
12          below-market value, additional financial aid  
13          funds, or other inducements to any institution  
14          of higher education or any employee of an insti-  
15          tution of higher education in order to secure  
16          applicants for loans under this part;

17          “(B) conducted unsolicited mailings, by  
18          postal or electronic means, of student loan ap-  
19          plication forms to students enrolled in sec-  
20          ondary school or postsecondary institutions, or  
21          to parents of such students, except that applica-  
22          tions may be mailed, by postal or electronic  
23          means, to students or borrowers who have pre-  
24          viously received loans under this part from such  
25          lender;

1           “(C) entered into any type of consulting  
2           arrangement, or other contract to provide serv-  
3           ices to a lender, with an employee who is em-  
4           ployed in the financial aid office of an institu-  
5           tion of higher education, or who otherwise has  
6           responsibilities with respect to student loans or  
7           other financial aid of the institution;

8           “(D) compensated an employee who is em-  
9           ployed in the financial aid office of an institu-  
10          tion of higher education, or who otherwise has  
11          responsibilities with respect to educational loans  
12          or other financial aid of the institution, and  
13          who is serving on an advisory board, commis-  
14          sion, or group established by a lender or group  
15          of lenders for providing such service, except  
16          that the eligible lender may reimburse such em-  
17          ployee for reasonable expenses incurred in pro-  
18          viding such service;

19          “(E) performed for an institution of higher  
20          education any function that the institution of  
21          higher education is required to carry out under  
22          part B, D, or G;

23          “(F) paid, on behalf of an institution of  
24          higher education, another person to perform  
25          any function that the institution of higher edu-

1           cation is required to perform under part B, D,  
2           or G;

3           “(G) provided payments or other benefits  
4           to a student at an institution of higher edu-  
5           cation to act as the lender’s representative to  
6           secure applications under this title from indi-  
7           vidual prospective borrowers, unless such stu-  
8           dent—

9                   “(i) is also employed by the lender for  
10                  other purposes; and

11                  “(ii) made all appropriate disclosures  
12                  regarding such employment;” and

13           (2) by adding at the end the following:

14           “(8) SUNSET OF AUTHORITY FOR SCHOOL AS  
15           LENDER PROGRAM.—

16                   “(A) SUNSET.—The authority provided  
17                  under subsection (d)(1)(E) for an institution to  
18                  serve as an eligible lender, and under paragraph  
19                  (7) for an eligible lender to serve as a trustee  
20                  for an institution of higher education or an or-  
21                  ganization affiliated with an institution of high-  
22                  er education, shall expire on June 30, 2011.

23                   “(B) APPLICATION TO EXISTING INSTITU-  
24                  TIONAL LENDERS.—An institution that was an  
25                  eligible lender under this subsection, or an eligi-

1       ble lender that served as a trustee for an insti-  
2       tution of higher education or an organization  
3       affiliated with an institution of higher education  
4       under paragraph (7), before June 30, 2011,  
5       shall—

6               “(i) not issue any new loans in such  
7               a capacity under part B after June 30,  
8               2011; and

9               “(ii) shall continue to carry out the  
10              institution’s responsibilities for any loans  
11              issued by the institution under part B on  
12              or before June 30, 2011, except that, be-  
13              ginning on June 30, 2010, the eligible in-  
14              stitution or trustee may, notwithstanding  
15              any other provision of this Act, sell or oth-  
16              erwise dispose of such loans if all profits  
17              from the divestiture are used for need-  
18              based grant programs at the institution.

19              “(C) AUDIT REQUIREMENT.—All institu-  
20              tions serving as an eligible lender under sub-  
21              section (d)(1)(E) and all eligible lenders serving  
22              as a trustee for an institution of higher edu-  
23              cation or an organization affiliated with an in-  
24              stitution of higher education shall annually

complete and submit to the Secretary a compliance audit to determine whether—

“(i) the institution or lender is using all proceeds from special allowance payments and interest payments from borrowers; interest subsidies received from the Department, and any proceeds from the sale or other disposition of loans; for need-based aid programs; in accordance with section 435(d)(2)(A)(viii);

“(ii) the institution or lender is using no more than a reasonable portion of the proceeds described in section 435(d)(2)(A)(viii) for direct administrative expenses; and

“(iii) the institution or lender is ensuring that the proceeds described in section 435(d)(2)(A)(viii) are being used to supplement, and not to supplant, non-Federal funds that would otherwise be used for need-based grant programs.”.

**SEC. 429. DISCHARGE AND CANCELLATION RIGHTS IN CASES OF DISABILITY.**

(a) FFEL AND DIRECT LOANS.—Section 437(a) (20 U.S.C. 1087) is amended—

1           (1) by inserting “, or if a student borrower who  
 2           has received such a loan is unable to engage in any  
 3           substantial gainful activity by reason of any medi-  
 4           cally determinable physical or mental impairment  
 5           that can be expected to result in death, has lasted  
 6           for a continuous period of not less than 60 months,  
 7           or can be expected to last for a continuous period of  
 8           not less than 60 months” after “of the Secretary);”,  
 9           and

10           (2) by adding at the end the following: “The  
 11           Secretary may develop such safeguards as the Sec-  
 12           retary determines necessary to prevent fraud and  
 13           abuse in the discharge of liability under this sub-  
 14           section. Notwithstanding any other provision of this  
 15           subsection, the Secretary may promulgate regula-  
 16           tions to resume collection on loans discharged under  
 17           this subsection in any case in which—

18           “(1) a borrower received a discharge of liability  
 19           under this subsection and after the discharge the  
 20           borrower—

21                   “(A) receives a loan made, insured or  
 22                   guaranteed under this title; or

23                   “(B) has earned income in excess of the  
 24                   poverty line; or

25           “(2) the Secretary determines necessary.”.

1       (b) PERKINS.—Section 464(c) (20 U.S.C. 1087dd(c))  
2 is amended—

3           (1) in paragraph (1)(F)—

4               (A) by striking “or if he” and inserting “if  
5 the borrower”; and

6               (B) by inserting “, or if the borrower is  
7 unable to engage in any substantial gainful ac-  
8 tivity by reason of any medically determinable  
9 physical or mental impairment that can be ex-  
10 pected to result in death, has lasted for a con-  
11 tinuous period of not less than 60 months, or  
12 can be expected to last for a continuous period  
13 of not less than 60 months” after “the Sec-  
14 retary”; and

15           (2) by adding at the end the following:

16               “(8) The Secretary may develop such additional  
17 safeguards as the Secretary determines necessary to  
18 prevent fraud and abuse in the cancellation of liabil-  
19 ity under paragraph (1)(F). Notwithstanding para-  
20 graph (1)(F), the Secretary may promulgate regula-  
21 tions to resume collection on loans cancelled under  
22 paragraph (1)(F) in any case in which—

23               “(A) a borrower received a cancellation of  
24 liability under paragraph (1)(F) and after the  
25 cancellation the borrower—



1                   “(i) receives a loan made, insured or  
2                   guaranteed under this title; or

3                   “(ii) has earned income in excess of  
4                   the poverty line; or

5                   “(B) the Secretary determines necessary.”.

6 **SEC. 430. SPECIAL ALLOWANCES.**

7           (a) **AMENDMENT.**—Paragraph (2) of section 438(d)  
8 (20 U.S.C. 1087–1(d)) is amended to read as follows:

9                   “(2) **AMOUNT OF LOAN FEES.**—

10                   “(A) **IN GENERAL.**—Except as provided in  
11                   subparagraph (B), with respect to any loan  
12                   made under this part for which the first dis-  
13                   bursement was made on or after October 1,  
14                   1993, the amount of the loan fee that shall be  
15                   deducted under paragraph (1) shall be equal to  
16                   0.50 percent of the principal amount of the  
17                   loan.

18                   “(B) **CONSOLIDATION LOANS.**—With re-  
19                   spect to any loan made under section 428C on  
20                   or after July 1, 2007, the amount of the loan  
21                   fee that shall be deducted under paragraph (1)  
22                   shall be equal to 1.0 percent of the principal  
23                   amount of the loan.”.

24           (b) **EFFECTIVE DATE.**—The amendment made by  
25 subsection (a) shall apply with respect to any loan made,

1 insured, or guaranteed under part B of title IV of the  
 2 Higher Education Act of 1965 (20 U.S.C. 1071 et seq.)  
 3 for which the first disbursement is made on or after July  
 4 1, 2007.

## 5 **PART C—FEDERAL WORK-STUDY PROGRAMS**

### 6 **SEC. 441. AUTHORIZATION OF APPROPRIATIONS.**

7 Section 441(b) (42 U.S.C. 2751(b)) is amended by  
 8 striking “\$1,000,000 for fiscal year 1999” and all that  
 9 follows through the period and inserting “such sums as  
 10 may be necessary for fiscal year 2008 and each of the 5  
 11 succeeding fiscal years.”.

### 12 **SEC. 442. ALLOWANCE FOR BOOKS AND SUPPLIES.**

13 Section 442(c)(4)(D) (42 U.S.C. 2752(c)(4)(D)) is  
 14 amended by striking “\$450” and inserting “\$600”.

### 15 **SEC. 443. GRANTS FOR FEDERAL WORK-STUDY PROGRAMS.**

16 Section 443(b)(2) (42 U.S.C. 2753(b)(2)) is amend-  
 17 ed—

18 (1) by striking subparagraph (A);

19 (2) by redesignating subparagraphs (B) and  
 20 (C) as subparagraphs (A) and (B), respectively; and

21 (3) in subparagraph (A) (as redesignated by  
 22 paragraph (2)), by striking “this subparagraph if”  
 23 and all that follows through “institution;” and in-  
 24 serting “this subparagraph if—

1                   “(i) the Secretary determines that en-  
 2                   forcing this subparagraph would cause  
 3                   hardship for students at the institution; or  
 4                   “(ii) the institution certifies to the  
 5                   Secretary that 15 percent or more of its  
 6                   total full-time enrollment participates in  
 7                   community service activities described in  
 8                   section 441(c) or tutoring and literacy ac-  
 9                   tivities described in subsection (d) of this  
 10                  section;”.

11 **SEC. 444. JOB LOCATION AND DEVELOPMENT PROGRAMS.**

12           Section 446(a)(1) (42 U.S.C. 2756(a)(1)) is amended  
 13 by striking “\$50,000” and inserting “\$75,000”.

14 **SEC. 445. WORK COLLEGES.**

15           Section 448 (42 U.S.C. 2756b) is amended—

16           (1) in subsection (a), by striking “work-learn-  
 17           ing” and inserting “work-learning-service”;

18           (2) in subsection (b)—

19           (A) in paragraph (1), by striking “under  
 20           subsection (f)” and inserting “for this section  
 21           under section 441(b)”; and

22           (B) in paragraph (2)—

23           (i) in the matter preceding subpara-  
 24           graph (A), by striking “pursuant to sub-

1 section (f)” and inserting “for this section  
2 under section 441(b)”;

3 (ii) in subparagraph (A), by striking  
4 “work-learning program” and inserting  
5 “comprehensive work-learning-service pro-  
6 gram”;

7 (iii) by redesignating subparagraphs  
8 (C) through (F) as subparagraphs (D)  
9 through (G), respectively;

10 (iv) by inserting after subparagraph  
11 (B) the following:

12 “(C) support existing and new model stu-  
13 dent volunteer community service projects asso-  
14 ciated with local institutions of higher edu-  
15 cation, such as operating drop-in resource cen-  
16 ters that are staffed by students and that link  
17 people in need with the resources and opportu-  
18 nities necessary to become self-sufficient; and”;

19 (v) in subparagraph (E) (as redesign-  
20 ated by clause (iii)), by striking “work-  
21 learning” each place the term occurs and  
22 inserting “work-learning-service”; and

23 (vi) in subparagraph (F) (as redesign-  
24 ated by clause (iii)), by striking “work

1                   service learning” and inserting “work-  
2                   learning-service”;

3                   (3) in subsection (c), by striking “by subsection  
4                   (f) to use funds under subsection (b)(1)” and insert-  
5                   ing “for this section under section 441(b) or to use  
6                   funds under subsection (b)(1).”;

7                   (4) in subsection (c)—

8                   (A) in paragraph (1)—

9                   (i) in subparagraph (A), by inserting  
10                  “4-year, degree-granting” after “non-  
11                  profit”;

12                  (ii) in subparagraph (B), by striking  
13                  “work-learning” and inserting “work-learn-  
14                  ing-service”;

15                  (iii) by striking subparagraph (C) and  
16                  inserting the following:

17                  “(C) requires all resident students, includ-  
18                  ing at least  $\frac{1}{2}$  of all resident students who are  
19                  enrolled on a full-time basis, to participate in a  
20                  comprehensive work-learning-service program  
21                  for not less than 5 hours each week, or not less  
22                  than 80 hours during each period of enrollment  
23                  except summer school, unless the student is en-  
24                  gaged in a study abroad or externship program

1 that is organized or approved by the institution;  
 2 and”]; and

3 (iv) in subparagraph (D), by striking  
 4 “work-learning” and inserting “work-learning-  
 5 ing-service”; and

6 (B) by striking paragraph (2) and insert-  
 7 ing the following:

8 “(2) the term ‘comprehensive work-learning-  
 9 service program’ means a student work-learning-  
 10 service program that—

11 “(A) is an integral and stated part of the  
 12 institution’s educational philosophy and pro-  
 13 gram;

14 “(B) requires participation of all resident  
 15 students for enrollment and graduation;

16 “(C) includes learning objectives, evalua-  
 17 tion, and a record of work performance as part  
 18 of the student’s college record;

19 “(D) provides programmatic leadership by  
 20 college personnel at levels comparable to tradi-  
 21 tional academic programs;

22 “(E) recognizes the educational role of  
 23 work-learning-service supervisors; and

24 “(F) includes consequences for non-  
 25 performance or failure in the work-learning-

1 service program similar to the consequences for  
 2 failure in the regular academic program.”; and  
 3 ~~(5)~~ by striking subsection ~~(f)~~.

#### 4 **PART D—FEDERAL PERKINS LOANS**

##### 5 **SEC. 451. CANCELLATION OF LOANS FOR CERTAIN PUBLIC** 6 **SERVICE.**

7 Section 465(a) ~~(20 U.S.C. 1087ee(a))~~ is amended—  
 8 ~~(1)~~ in paragraph ~~(2)~~—

9 ~~(A)~~ in subparagraph ~~(B)~~, by striking  
 10 “Head Start Act which” and inserting “Head  
 11 Start Act, or in a prekindergarten or child care  
 12 program that is licensed or regulated by the  
 13 State, that”;

14 ~~(B)~~ in subparagraph ~~(H)~~, by striking “or”  
 15 after the semicolon;

16 ~~(C)~~ in subparagraph ~~(I)~~, by striking the  
 17 period and inserting a semicolon; and

18 ~~(D)~~ by inserting before the matter fol-  
 19 lowing subparagraph ~~(I)~~ (as amended by sub-  
 20 paragraph ~~(C)~~) the following:

21 “~~(J)~~ as a full-time faculty member at a Tribal  
 22 College or University, as that term is defined in sec-  
 23 tion 316;

24 “~~(K)~~ as a librarian, if the librarian has a mas-  
 25 ter’s degree in library science and is employed in—

1           “(i) an elementary school or secondary  
2           school that is eligible for assistance under title  
3           I of the Elementary and Secondary Education  
4           Act of 1965; or

5           “(ii) a public library that serves a geo-  
6           graphic area that contains 1 or more schools el-  
7           igible for assistance under title I of the Elemen-  
8           tary and Secondary Education Act of 1965; or

9           “(L) as a full-time speech language therapist, if  
10          the therapist has a master’s degree and is working  
11          exclusively with schools that are eligible for assist-  
12          ance under title I of the Elementary and Secondary  
13          Education Act of 1965.”; and

14          (2) in paragraph (3)(A)—

15               (A) in clause (i)—

16                   (i) by inserting “(D),” after “(C),”;

17                   and

18                   (ii) by striking “or (I)” and inserting

19                   “(I), (J), (K), or (L)”;

20               (B) in clause (ii), by inserting “or” after

21          the semicolon;

22               (C) by striking clause (iii); and

23               (D) by redesignating clause (iv) as clause

24          (iii).



**PART E—NEED ANALYSIS**

**SEC. 461. COST OF ATTENDANCE.**

Section 472(3) (20 U.S.C. 1087kk(3)) is amended—

(1) in subparagraph (B), by striking “and” after the semicolon;

(2) by redesignating subparagraph (C) as subparagraph (D); and

(3) by inserting after subparagraph (B), as amended by paragraph (1), the following:

“(C) for students who live in housing located on a military base or for which a basic allowance is provided under section 403(b) of title 37, United States Code, shall be an allowance based on the expenses reasonably incurred by such students for board but not for room; and”.

**SEC. 462. DEFINITIONS.**

Section 480(b)(6) (20 U.S.C. 1087vv(b)(6)) is amended by inserting “, except that the value of on-base military housing or the value of basic allowance for housing determined under section 403(b) of title 37, United States Code, received by the parents, in the case of a dependent student, or the student or student’s spouse, in the case of an independent student, shall be excluded” before the semicolon.

1     **PART F—GENERAL PROVISIONS RELATING TO**  
 2                     **STUDENT ASSISTANCE**

3     **SEC. 471. DEFINITIONS.**

4         Section 481(a)(2)(B) (20 U.S.C. 1088(a)(2)(B)) is  
 5 amended by inserting “and that measures program length  
 6 in credit hours or clock hours” after “baccalaureate de-  
 7 gree”.

8     **SEC. 472. COMPLIANCE CALENDAR.**

9         Section 482 (20 U.S.C. 1089) is amended by adding  
 10 at the end the following:

11         “(e) COMPLIANCE CALENDAR.—Prior to the begin-  
 12 ning of each award year, the Secretary shall provide to  
 13 institutions of higher education a list of all the reports  
 14 and disclosures required under this Act. The list shall in-  
 15 clude—

16             “(1) the date each report or disclosure is re-  
 17 quired to be completed and to be submitted; made  
 18 available; or disseminated;

19             “(2) the required recipients of each report or  
 20 disclosure;

21             “(3) any required method for transmittal or  
 22 dissemination of each report or disclosure;

23             “(4) a description of the content of each report  
 24 or disclosure sufficient to allow the institution to  
 25 identify the appropriate individuals to be assigned  
 26 the responsibility for such report or disclosure;

1           “(5) references to the statutory authority, ap-  
 2           plicable regulations, and current guidance issued by  
 3           the Secretary regarding each report or disclosure;  
 4           and

5           “(6) any other information which is pertinent to  
 6           the content or distribution of the report or disclo-  
 7           sure.”.

8   **SEC. 473. FORMS AND REGULATIONS.**

9           Section 483 (20 U.S.C. 1090) is amended—

10           (1) by striking subsections (a) and (b) and in-  
 11           serting the following:

12           “(a) **COMMON FINANCIAL AID FORM DEVELOPMENT**  
 13           **AND PROCESSING.—**

14           “(1) **IN GENERAL.—**

15           “(A) **COMMON FORMS.—**The Secretary, in  
 16           cooperation with representatives of agencies and  
 17           organizations involved in student financial as-  
 18           sistance, shall produce, distribute, and process  
 19           free of charge common financial reporting  
 20           forms as described in this subsection to be used  
 21           to determine the need and eligibility of a stu-  
 22           dent for financial assistance under parts A  
 23           through E of this title (other than under sub-  
 24           part 4 of part A). The forms shall be made

1 available to applicants in both paper and elec-  
 2 tronic formats.

3 ~~“(B) FAFSA.—The common financial re-~~  
 4 ~~porting forms described in this subsection (ex-~~  
 5 ~~cluding the form described in paragraph~~  
 6 ~~(2)(B)), shall be referred to collectively as the~~  
 7 ~~‘Free Application for Federal Student Aid’, or~~  
 8 ~~‘FAFSA’.~~

9 ~~“(2) PAPER FORMAT.—~~

10 ~~“(A) IN GENERAL.—The Secretary shall~~  
 11 ~~encourage applicants to file the electronic~~  
 12 ~~versions of the forms described in paragraph~~  
 13 ~~(2), but shall develop, make available, and proc-~~  
 14 ~~ess—~~

15 ~~“(i) a paper version of EZ FAFSA, as~~  
 16 ~~described in subparagraph (B); and~~

17 ~~“(ii) a paper version of the other~~  
 18 ~~forms described in this subsection, in ac-~~  
 19 ~~cordance with subparagraph (C), for any~~  
 20 ~~applicant who does not meet the require-~~  
 21 ~~ments of or does not wish to use the proc-~~  
 22 ~~ess described in subparagraph (B).~~

23 ~~“(B) EZ FAFSA.—~~

24 ~~“(i) IN GENERAL.—The Secretary~~  
 25 ~~shall develop and use, after appropriate~~

1 field testing; a simplified paper application  
 2 form for applicants meeting the require-  
 3 ments of section 479(c); which form shall  
 4 be referred to as the ‘EZ FAFSA’.

5 “(ii) REQUIRED FEDERAL DATA ELE-  
 6 MENTS.—The Secretary shall include on  
 7 the EZ FAFSA only the data elements re-  
 8 quired to determine student eligibility and  
 9 whether the applicant meets the require-  
 10 ments of section 479(c).

11 “(iii) REQUIRED STATE DATA ELE-  
 12 MENTS.—The Secretary shall include on  
 13 the EZ FAFSA such data items as may be  
 14 necessary to award State financial assist-  
 15 ance; as provided under paragraph (5); ex-  
 16 cept the Secretary shall not include a  
 17 State’s data if that State does not permit  
 18 its applicants for State assistance to use  
 19 the EZ FAFSA.

20 “(iv) FREE AVAILABILITY AND DATA  
 21 DISTRIBUTION.—The provisions of para-  
 22 graphs (6) and (10) shall apply to the EZ  
 23 FAFSA.

24 “(C) PHASE-OUT OF FULL PAPER  
 25 FAFSA.—

1           “(i) ~~PHASE-OUT OF PRINTING OF~~  
 2           ~~FULL PAPER FAFSA.~~—At such time as the  
 3           Secretary determines that it is not cost-ef-  
 4           fective to print the full paper version of  
 5           FAFSA, the Secretary shall—

6                   “(I) phase out the printing of the  
 7                   full paper version of FAFSA;

8                   “(II) maintain on the Internet  
 9                   easily accessible, downloadable for-  
 10                  mats of the full paper version of  
 11                  FAFSA; and

12                  “(III) provide a printed copy of  
 13                  the full paper version of FAFSA upon  
 14                  request.

15           “(ii) ~~USE OF SAVINGS.~~—The Sec-  
 16           retary shall utilize any savings realized by  
 17           phasing out the printing of the full paper  
 18           version of FAFSA and moving applicants  
 19           to the electronic versions of FAFSA, to im-  
 20           prove access to the electronic versions for  
 21           applicants meeting the requirements of  
 22           section 479(c).

23           “(3) ~~ELECTRONIC VERSIONS.~~—

24                   “(A) ~~IN GENERAL.~~—The Secretary shall  
 25           produce, make available through a broadly

1 available website, and process electronic  
2 versions of the FAFSA and the EZ FAFSA.

3 “(B) MINIMUM QUESTIONS.—The Sec-  
4 retary shall use all available technology to en-  
5 sure that a student using an electronic version  
6 of the FAFSA under this paragraph answers  
7 only the minimum number of questions nec-  
8 essary.

9 “(C) REDUCED REQUIREMENTS.—The  
10 Secretary shall enable applicants who meet the  
11 requirements of subsection (b) or (c) of section  
12 479 to provide information on the electronic  
13 version of the FAFSA only for the data ele-  
14 ments required to determine student eligibility  
15 and whether the applicant meets the require-  
16 ments of subsection (b) or (c) of section 479.

17 “(D) STATE DATA.—The Secretary shall  
18 include on the electronic version of the FAFSA  
19 the questions needed to determine whether the  
20 applicant is eligible for State financial assist-  
21 ance, as provided under paragraph (5), except  
22 that the Secretary shall not—

23 “(i) require applicants to complete  
24 data required by any State other than the  
25 applicant’s State of residence; and

1           “(ii) include a State’s data if such  
2           State does not permit its applicants for  
3           State assistance to use the electronic  
4           version of the FAFSA described in this  
5           paragraph.

6           ~~“(E) FREE AVAILABILITY AND DATA DIS-~~  
7           ~~TRIBUTION.—~~The provisions of paragraphs (6)  
8           and (10) shall apply to the electronic version of  
9           the FAFSA.

10          ~~“(F) USE OF FORMS.—~~Nothing in this  
11          subsection shall be construed to prohibit the use  
12          of the electronic versions of the forms developed  
13          by the Secretary pursuant to this paragraph by  
14          an eligible institution, eligible lender, a guar-  
15          anty agency, a State grant agency, a private  
16          computer software provider, a consortium of  
17          such entities, or such other entity as the Sec-  
18          retary may designate. Data collected by the  
19          electronic versions of such forms shall be used  
20          only for the application, award, and administra-  
21          tion of aid awarded under this title, State aid,  
22          or aid awarded by eligible institutions or such  
23          entities as the Secretary may designate. No  
24          data collected by such electronic versions of the  
25          forms shall be used for making final aid awards



1 under this title until such data have been proc-  
2 essed by the Secretary or a contractor or des-  
3 ignee of the Secretary, except as may be per-  
4 mitted under this title.

5 “(G) PRIVACY.—The Secretary shall en-  
6 sure that data collection under this paragraph  
7 complies with section 552a of title 5, United  
8 States Code, and that any entity using an elec-  
9 tronic version of a form developed by the Sec-  
10 retary under this paragraph shall maintain rea-  
11 sonable and appropriate administrative, tech-  
12 nical, and physical safeguards to ensure the in-  
13 tegrity and confidentiality of the information,  
14 and to protect against security threats, or un-  
15 authorized uses or disclosures of the informa-  
16 tion provided on the electronic version of the  
17 form.

18 “(H) SIGNATURE.—Notwithstanding any  
19 other provision of this Act, the Secretary may  
20 permit an electronic version of a form developed  
21 under this paragraph to be submitted without a  
22 signature, if a signature is subsequently sub-  
23 mitted by the applicant or if the applicant uses  
24 a personal identification number provided by  
25 the Secretary under subparagraph (I).

“(I) PERSONAL IDENTIFICATION NUMBERS  
 AUTHORIZED.—The Secretary is authorized to  
 assign to an applicant a personal identification  
 number—

“(i) to enable the applicant to use  
 such number as a signature for purposes  
 of completing an electronic version of a  
 form developed under this paragraph; and

“(ii) for any purpose determined by  
 the Secretary to enable the Secretary to  
 carry out this title.

“(J) PERSONAL IDENTIFICATION NUMBER  
 IMPROVEMENT.—Not later than 180 days after  
 the date of enactment of the Higher Education  
 Amendments of 2007, the Secretary shall im-  
 plement a real-time data match between the So-  
 cial Security Administration and the Depart-  
 ment to minimize the time required for an ap-  
 plicant to obtain a personal identification num-  
 ber when applying for aid under this title  
 through an electronic version of a form devel-  
 oped under this paragraph.

“(4) STREAMLINED REAPPLICATION PROC-  
 ESS.—

1           “(A) IN GENERAL.—The Secretary shall  
2       develop streamlined paper and electronic re-  
3       application forms and processes for an appli-  
4       cant who applies for financial assistance under  
5       this title in the next succeeding academic year  
6       subsequent to an academic year for which such  
7       applicant applied for financial assistance under  
8       this title.

9           “(B) UPDATING OF DATA ELEMENTS.—  
10      The Secretary shall determine, in cooperation  
11      with States, institutions of higher education,  
12      agencies, and organizations involved in student  
13      financial assistance, the data elements that may  
14      be transferred from the previous academic  
15      year’s application and those data elements that  
16      shall be updated.

17          “(C) REDUCED DATA AUTHORIZED.—  
18      Nothing in this title shall be construed as lim-  
19      iting the authority of the Secretary to reduce  
20      the number of data elements required of re-  
21      applicants.

22          “(D) ZERO FAMILY CONTRIBUTION.—Ap-  
23      plicants determined to have a zero family con-  
24      tribution pursuant to section 479(e) shall not  
25      be required to provide any financial data in a

1 reapplication form, except data that are nec-  
 2 essary to determine eligibility under such sec-  
 3 tion.

4 “(5) STATE REQUIREMENTS.—

5 “(A) IN GENERAL.—Except as provided in  
 6 paragraphs (2)(B)(iii), (3)(D), and (4)(B), the  
 7 Secretary shall include on the forms developed  
 8 under this subsection, such State-specific data  
 9 items as the Secretary determines are necessary  
 10 to meet State requirements for need-based  
 11 State aid. Such items shall be selected in con-  
 12 sultation with State agencies in order to assist  
 13 in the awarding of State financial assistance in  
 14 accordance with the terms of this subsection.  
 15 The number of such data items shall not be less  
 16 than the number included on the common fi-  
 17 nancial reporting form for the 2005–2006  
 18 award year unless a State notifies the Secretary  
 19 that the State no longer requires those data  
 20 items for the distribution of State need-based  
 21 aid.

22 “(B) ANNUAL REVIEW.—The Secretary  
 23 shall conduct an annual review to determine—

24 “(i) which data items each State re-  
 25 quires to award need-based State aid; and

1                   “(ii) if the State will permit an appli-  
 2                   cant to file a form described in paragraph  
 3                   ~~(2)(B) or (3)(C).~~

4                   ~~“(C) USE OF SIMPLIFIED APPLICATION~~  
 5                   ~~FORMS ENCOURAGED.—~~The Secretary shall en-  
 6                   courage States to take such steps as are nec-  
 7                   essary to encourage the use of simplified forms  
 8                   under this subsection, including those forms de-  
 9                   scribed in paragraphs ~~(2)(B)~~ and ~~(3)(C)~~, for  
 10                  applicants who meet the requirements of sub-  
 11                  section ~~(b) or (c)~~ of section 479.

12                  ~~“(D) CONSEQUENCES IF STATE DOES NOT~~  
 13                  ~~ACCEPT SIMPLIFIED FORMS.—~~If a State does  
 14                  not permit an applicant to file a form described  
 15                  in paragraph ~~(2)(B) or (3)(C)~~ for purposes of  
 16                  determining eligibility for State need-based fi-  
 17                  nancial aid, the Secretary may determine that  
 18                  State-specific questions for such State will not  
 19                  be included on a form described in paragraph  
 20                  ~~(2)(B) or (3)(B).~~ If the Secretary makes such  
 21                  determination, the Secretary shall advise the  
 22                  State of the Secretary’s determination.

23                  ~~“(E) LACK OF STATE RESPONSE TO RE-~~  
 24                  ~~QUEST FOR INFORMATION.—~~If a State does not  
 25                  respond to the Secretary’s request for informa-

tion under subparagraph (B), the Secretary shall—

“(i) permit residents of that State to complete simplified forms under paragraphs (2)(B) and (3)(B); and

“(ii) not require any resident of such State to complete any data items previously required by that State under this section.

“(F) RESTRICTION.—The Secretary shall not require applicants to complete any financial or non-financial data items that are not required—

“(i) by the applicant’s State; or

“(ii) by the Secretary.

“(6) CHARGES TO STUDENTS AND PARENTS FOR USE OF FORMS PROHIBITED.—The need and eligibility of a student for financial assistance under parts A through E (other than under subpart 4 of part A) may be determined only by using a form developed by the Secretary under this subsection. Such forms shall be produced, distributed, and processed by the Secretary, and no parent or student shall be charged a fee by the Secretary, a contractor, a third-party servicer or private software provider, or any

1 other public or private entity for the collection, proc-  
2 essing, or delivery of financial aid through the use  
3 of such forms. No data collected on a paper or elec-  
4 tronic version of a form developed under this sub-  
5 section, or other document that was created to re-  
6 place, or used to complete, such a form, and for  
7 which a fee was paid, shall be used.

8 “(7) RESTRICTIONS ON USE OF PIN.—No per-  
9 son, commercial entity, or other entity shall request,  
10 obtain, or utilize an applicant’s personal identifica-  
11 tion number assigned under paragraph (3)(I) for  
12 purposes of submitting a form developed under this  
13 subsection on an applicant’s behalf.

14 “(8) APPLICATION PROCESSING CYCLE.—The  
15 Secretary shall enable students to submit forms de-  
16 veloped under this subsection and initiate the proc-  
17 essing of such forms under this subsection, as early  
18 as practicable prior to January 1 of the student’s  
19 planned year of enrollment.

20 “(9) EARLY ESTIMATES OF EXPECTED FAMILY  
21 CONTRIBUTIONS.—The Secretary shall permit an ap-  
22 plicant to complete a form described in this sub-  
23 section in the years prior to enrollment in order to  
24 obtain from the Secretary a nonbinding estimate of  
25 the applicant’s expected family contribution, com-

1       puted in accordance with part F. Such applicant  
2       shall be permitted to update information submitted  
3       on a form described in this subsection using the  
4       process required under paragraph (4).

5           “(10) DISTRIBUTION OF DATA.—Institutions of  
6       higher education, guaranty agencies, and States  
7       shall receive, without charge, the data collected by  
8       the Secretary using a form developed under this sub-  
9       section for the purposes of processing loan applica-  
10      tions and determining need and eligibility for insti-  
11      tutional and State financial aid awards. Entities des-  
12      ignated by institutions of higher education, guaranty  
13      agencies, or States to receive such data shall be sub-  
14      ject to all the requirements of this section, unless  
15      such requirements are waived by the Secretary.

16           “(11) THIRD PARTY SERVICERS AND PRIVATE  
17      SOFTWARE PROVIDERS.—To the extent practicable  
18      and in a timely manner, the Secretary shall provide,  
19      to private organizations and consortia that develop  
20      software used by institutions of higher education for  
21      the administration of funds under this title, all the  
22      necessary specifications that the organizations and  
23      consortia must meet for the software the organiza-  
24      tions and consortia develop, produce, and distribute  
25      (including any diskette, modem, or network commu-



nications) which are so used. The specifications shall  
 contain record layouts for required data. The Sec-  
 retary shall develop in advance of each processing  
 cycle an annual schedule for providing such speci-  
 fications. The Secretary, to the extent practicable,  
 shall use multiple means of providing such specifica-  
 tions, including conferences and other meetings, out-  
 reach, and technical support mechanisms (such as  
 training and printed reference materials). The Sec-  
 retary shall, from time to time, solicit from such or-  
 ganizations and consortia means of improving the  
 support provided by the Secretary.

“(12) PARENT’S SOCIAL SECURITY NUMBER  
 AND BIRTH DATE.—The Secretary is authorized to  
 include space on the forms developed under this sub-  
 section for the social security number and birth date  
 of parents of dependent students seeking financial  
 assistance under this title.”;

(2) by redesignating subsections (c) through (e)  
 as subsections (b) through (d), respectively;

(3) in subsection (c) (as redesignated by para-  
 graph (2)), by striking “that is authorized” and all  
 that follows through the period at the end and in-  
 serting “or other appropriate provider of technical  
 assistance and information on postsecondary edu-

1 educational services that is authorized under section  
 2 663(a) of the Individuals with Disabilities Education  
 3 Act. Not later than 2 years after the date of enact-  
 4 ment of the Higher Education Amendments of 2007,  
 5 the Secretary shall test and implement, to the extent  
 6 practicable, a toll-free telephone based system to  
 7 permit applicants who meet the requirements of  
 8 479(e) to submit an application over such system.”;

9 (4) by striking subsection (d) (as redesignated  
 10 by paragraph (2)) and inserting the following:

11 “(d) ASSISTANCE IN PREPARATION OF FINANCIAL  
 12 AID APPLICATION.—

13 “(1) PREPARATION AUTHORIZED.—Notwith-  
 14 standing any provision of this Act, an applicant may  
 15 use a preparer for consultative or preparation serv-  
 16 ices for the completion of a form developed under  
 17 subsection (a) if the preparer satisfies the require-  
 18 ments of this subsection.

19 “(2) PREPARER IDENTIFICATION REQUIRED.—  
 20 If an applicant uses a preparer for consultative or  
 21 preparation services for the completion of a form de-  
 22 veloped under subsection (a), the preparer shall in-  
 23 clude the name, signature, address or employer’s ad-  
 24 dress, social security number or employer identifica-

tion number, and organizational affiliation of the preparer on the applicant's form.

~~“(3) ADDITIONAL REQUIREMENTS.—A preparer that provides consultative or preparation services pursuant to this subsection shall—~~

~~“(A) clearly inform each individual upon initial contact, including contact through the Internet or by telephone, that the FAFSA and EZ FAFSA may be completed for free via paper or electronic versions of the forms that are provided by the Secretary;~~

~~“(B) include in any advertising clear and conspicuous information that the FAFSA and EZ FAFSA may be completed for free via paper or electronic versions of the forms that are provided by the Secretary;~~

~~“(C) if advertising or providing any information on a website, or if providing services through a website, include on the website a link to the website described in subsection (a)(3) that provides the electronic versions of the forms developed under subsection (a);~~

~~“(D) refrain from producing or disseminating any form other than the forms developed by the Secretary under subsection (a); and~~

1           ~~“(E) not charge any fee to any individual~~  
 2           ~~seeking services who meets the requirements of~~  
 3           ~~subsection (b) or (c) of section 479.~~

4           ~~“(4) SPECIAL RULE.—Nothing in this Act shall~~  
 5           ~~be construed to limit preparers of the financial re-~~  
 6           ~~porting forms required to be made under this title~~  
 7           ~~that meet the requirements of this subsection from~~  
 8           ~~collecting source information from a student or par-~~  
 9           ~~ent, including Internal Revenue Service tax forms, in~~  
 10           ~~providing consultative and preparation services in~~  
 11           ~~completing the forms.”; and~~

12           ~~(5) by adding at the end the following:~~

13           ~~“(c) EARLY APPLICATION AND AWARD DEMONSTRA-~~  
 14           ~~TION PROGRAM.—~~

15           ~~“(1) PURPOSE.—The purpose of the dem-~~  
 16           ~~onstration program implemented under this sub-~~  
 17           ~~section is to determine the feasibility of imple-~~  
 18           ~~menting a comprehensive early application and noti-~~  
 19           ~~fication system for all dependent students and to~~  
 20           ~~measure the benefits and costs of such a system.~~

21           ~~“(2) PROGRAM AUTHORIZED.—Not later than 2~~  
 22           ~~years after the date of enactment of the Higher~~  
 23           ~~Education Amendments of 2007, the Secretary shall~~  
 24           ~~implement an early application demonstration pro-~~

1       gram enabling dependent students who wish to par-  
2       ticipate in the program—

3               “(A) to complete an application under this  
4       subsection during the academic year that is 2  
5       years prior to the year such students plan to  
6       enroll in an institution of higher education; and

7               “(B) based on the application described in  
8       subparagraph (A), to obtain, not later than 1  
9       year prior to the year of the students’ planned  
10      enrollment, information on eligibility for Fed-  
11      eral Pell Grants, Federal student loans under  
12      this title, and State and institutional financial  
13      aid for the student’s first year of enrollment in  
14      an the institution of higher education.

15              “(3) ~~EARLY APPLICATION AND AWARD.~~—For  
16      all dependent students selected for participation in  
17      the demonstration program who submit a completed  
18      FAFSA, or, as appropriate, an ~~EZ FAFSA~~, 2 years  
19      prior to the year such students plan to enroll in an  
20      institution of higher education, the Secretary shall,  
21      not later than 1 year prior to the year of such  
22      planned enrollment—

23              “(A) provide each student who meets the  
24      requirements under section 479(c) with a deter-  
25      mination of such student’s—

1                   “(i) expected family contribution for  
2                   the first year of the student’s enrollment in  
3                   an institution of higher education; and

4                   “(ii) Federal Pell Grant award for the  
5                   first such year, based on the maximum  
6                   Federal Pell Grant award at the time of  
7                   application;

8                   “(B) provide each student who does not  
9                   meet the requirements under section 479(e)  
10                  with an estimate of such student’s—

11                  “(i) expected family contribution for  
12                  the first year of the student’s planned en-  
13                  rollment; and

14                  “(ii) Federal Pell Grant award for the  
15                  first such year, based on the maximum  
16                  Federal Pell Grant award at the time of  
17                  application; and

18                  “(C) remind the students of the need to  
19                  update the students’ information during the cal-  
20                  endar year of enrollment using the expedited re-  
21                  application process provided for in subsection  
22                  (a)(4).

23                  “(4) PARTICIPANTS.—The Secretary shall in-  
24                  clude, as participants in the demonstration pro-  
25                  gram—

1           “(A) States selected through the applica-  
2           tion process described in paragraph (5);

3           “(B) institutions of higher education with-  
4           in the selected States that are interested in par-  
5           ticipating in the demonstration program and  
6           that can make estimates or commitments of in-  
7           stitutional student financial aid, as appropriate,  
8           to students the year before the students’  
9           planned enrollment date; and

10          “(C) secondary schools within the selected  
11          States that are interested in participating in the  
12          demonstration program and can commit re-  
13          sources to—

14               “(i) advertising the availability of the  
15               program;

16               “(ii) identifying students who might  
17               be interested in participating in the pro-  
18               gram;

19               “(iii) encouraging such students to  
20               apply; and

21               “(iv) participating in the evaluation of  
22               the program.

23          “(5) APPLICATIONS.—States that are interested  
24          in participating in the demonstration program shall  
25          submit an application to the Secretary at such time;

1 in such form, and containing such information as  
2 the Secretary shall require. The application shall in-  
3 clude—

4 “(A) information on the amount of the  
5 State’s need-based student financial assistance  
6 available and the eligibility criteria for receiving  
7 such assistance;

8 “(B) a commitment to make, not later  
9 than the year before the dependent students  
10 participating in the demonstration program  
11 plan to enroll in an institution of higher edu-  
12 cation—

13 “(i) determinations of State financial  
14 aid awards to dependent students partici-  
15 pating in the program who meet the re-  
16 quirements of section 479(c); and

17 “(ii) estimates of State financial aid  
18 awards to other dependent students par-  
19 ticipating in the program;

20 “(C) a plan for recruiting institutions of  
21 higher education and secondary schools with  
22 different demographic characteristics to partici-  
23 pate in the program;



1           “(D) a plan for selecting institutions of  
2           higher education and secondary schools to par-  
3           ticipate in the program that—

4           “(i) demonstrate a commitment to en-  
5           couraging students to submit a FAFSA,  
6           or, as appropriate, an EZ FAFSA, 2 years  
7           before the students’ planned date of enroll-  
8           ment in an institution of higher education;

9           “(ii) serve different populations of  
10          students;

11          “(iii) in the case of institutions of  
12          higher education—

13               “(I) to the extent possible, are of  
14               varying types and control; and

15               “(II) commit to making, not later  
16               than the year prior to the year that  
17               dependent students participating in  
18               the demonstration program plan to  
19               enroll in the institution—

20               “(aa) institutional awards to  
21               participating dependent students  
22               who meet the requirements of  
23               section 479(e);

1                   “(bb) estimates of institu-  
2                   tional awards to other partici-  
3                   pating dependent students; and

4                   “(cc) expected or tentative  
5                   awards of grants or other finan-  
6                   cial aid available under this title  
7                   (including supplemental grants  
8                   under subpart 3 of part A); for  
9                   all participating dependent stu-  
10                  dents, along with information on  
11                  State awards, as provided to the  
12                  institution by the State;

13                  “(E) a commitment to participate in the  
14                  evaluation conducted by the Secretary; and

15                  “(F) such other information as the Sec-  
16                  retary may require.

17                  “(6) SPECIAL PROVISIONS.—

18                  “(A) DISCRETION OF STUDENT FINANCIAL  
19                  AID ADMINISTRATORS.—A financial aid admin-  
20                  istrator at an institution of higher education  
21                  participating in a demonstration program under  
22                  this subsection may utilize the discretion, as  
23                  provided under section 479A, as necessary, in  
24                  awarding financial aid to students participating  
25                  in the demonstration program.

1           “(B) **WAIVERS.**—The Secretary is author-  
2           ized to waive, for an institution participating in  
3           the demonstration program, any requirements  
4           under the title, or regulations prescribed under  
5           this title, that would make the demonstration  
6           program unworkable, except that the Secretary  
7           shall not waive any provisions with respect to  
8           the maximum award amounts for grants and  
9           loans under this title.

10          “(7) **OUTREACH.**—The Secretary shall make  
11          appropriate efforts in order to notify States, institu-  
12          tions of higher education, and secondary schools of  
13          the demonstration program.

14          “(8) **EVALUATION.**—The Secretary shall con-  
15          duct a rigorous evaluation of the demonstration pro-  
16          gram to measure the program’s benefits and adverse  
17          effects, as the benefits and effects relate to the pur-  
18          pose of the program described in paragraph (1). In  
19          conducting the evaluation, the Secretary shall—

20               “(A) identify whether receiving financial  
21               aid awards or estimates, as applicable, 1 year  
22               prior to the year in which the student plans to  
23               enroll in an institution of higher education, has  
24               a positive impact on the higher education aspi-  
25               rations and plans of such student;

1           “(B) measure the extent to which using a  
 2           student’s income information from the year that  
 3           is 2 years prior to the student’s planned enroll-  
 4           ment date had an impact on the ability of  
 5           States and institutions to make financial aid  
 6           awards and commitments;

7           “(C) determine what operational changes  
 8           would be required to implement the program on  
 9           a larger scale;

10          “(D) identify any changes to Federal law  
 11          that would be necessary to implement the pro-  
 12          gram on a permanent basis; and

13          “(E) identify the benefits and adverse ef-  
 14          fects of providing early awards or estimates on  
 15          program costs, program operations, program in-  
 16          tegrity, award amounts, distribution, and deliv-  
 17          ery of aid.

18          “(9) CONSULTATION.—The Secretary shall con-  
 19          sult, as appropriate, with the Advisory Committee on  
 20          Student Financial Assistance established under sec-  
 21          tion 491 on the design, implementation, and evalua-  
 22          tion of the demonstration program.

23          “(f) USE OF IRS DATA AND REDUCED INCOME AND  
 24          ASSET INFORMATION TO DETERMINE ELIGIBILITY FOR  
 25          STUDENT FINANCIAL AID.—

1           “(1) FORMATION OF STUDY GROUP.—Not later  
2           than 180 days after the date of enactment of the  
3           Higher Education Amendments of 2007, the Comp-  
4           troller General of the United States and the Sec-  
5           retary of Education shall convene a study group  
6           whose members shall include the Secretary of the  
7           Treasury, the Director of the Office of Management  
8           and Budget, the Director of the Congressional  
9           Budget Office, and such other individuals as the  
10          Comptroller General and Secretary of Education  
11          may designate.

12          “(2) STUDY REQUIRED.—The Comptroller Gen-  
13          eral and the Secretary, in consultation with the  
14          study group convened under paragraph (1), shall de-  
15          sign and conduct a study to identify and evaluate  
16          the means of simplifying the process of applying for  
17          Federal financial aid available under this title. The  
18          study shall focus on developing alternative ap-  
19          proaches for calculating the expected family con-  
20          tribution that use substantially less income and  
21          asset data than the methodology currently used, as  
22          of the time of the study, for determining the ex-  
23          pected family contribution.

24          “(3) OBJECTIVES OF STUDY.—The objectives of  
25          the study required under paragraph (2) are—

1           “(A) to shorten the FAFSA and make it  
2 easier and less time-consuming to complete;  
3 thereby increasing higher education access for  
4 low-income students;

5           “(B) to examine the feasibility and evalu-  
6 ate the costs and benefits of using income data  
7 from the Internal Revenue Service to pre-popu-  
8 late the electronic version of the FAFSA;

9           “(C) to determine ways in which to provide  
10 reliable information on the amount of Federal  
11 grant aid and financial assistance a student can  
12 expect to receive, assuming constant income, 2  
13 to 3 years before the student’s enrollment; and

14           “(D) to simplify the process for deter-  
15 mining eligibility for student financial aid with-  
16 out causing significant redistribution of Federal  
17 grants and subsidized loans under this title.

18           “(4) REQUIRED SUBJECTS OF STUDY.—The  
19 study required under paragraph (2) shall consider—

20           “(A) how the expected family contribution  
21 of a student could be calculated using substan-  
22 tially less income and asset information than  
23 the approach currently used, as of the time of  
24 the study, to calculate the expected family con-  
25 tribution without causing significant redistribu-

tion of Federal grants and subsidized loans under this title; State aid; or institutional aid; or change in the composition of the group of recipients of such aid; which alternative approaches for calculating the expected family contribution shall, to the extent practicable—

“(i) rely mainly, in the case of students and parents who file income tax returns, on information available on the 1040, 1040EZ, and 1040A; and

“(ii) include formulas for adjusting income or asset information to produce similar results to the existing approach with less data;

“(B) how the Internal Revenue Service can provide income and other data needed to compute an expected family contribution for taxpayers and dependents of taxpayers to the Secretary of Education; and when in the application cycle the data can be made available;

“(C) whether data provided by the Internal Revenue could be used to—

“(i) prepopulate the electronic version of the FAFSA with student and parent taxpayer data; or

1                   “(ii) generate an expected family con-  
2                   tribution without additional action on the  
3                   part of the student and taxpayer;

4                   “(D) the extent to which the use of income  
5                   data from 2 years prior to a student’s planned  
6                   enrollment date would change the expected fam-  
7                   ily contribution computed in accordance with  
8                   part F, and potential adjustments to the need  
9                   analysis formula that would minimize the  
10                  change;

11                  “(E) the extent to which States and insti-  
12                  tutions would accept the data provided by the  
13                  Internal Revenue Service to prepopulate the  
14                  electronic version of the FAFSA in determining  
15                  the distribution of State and institutional stu-  
16                  dent financial aid funds;

17                  “(F) the changes to the electronic version  
18                  of the FAFSA and verification processes that  
19                  would be needed or could be made if Internal  
20                  Revenue Service data were used to prepopulate  
21                  such electronic version;

22                  “(G) the data elements currently collected,  
23                  as of the time of the study, on the FAFSA that  
24                  are needed to determine eligibility for student  
25                  aid, or to administer Federal student financial



1 aid programs, but are not needed to compute  
2 an expected family contribution, such as wheth-  
3 er information regarding the student's citizen-  
4 ship or permanent residency status; registration  
5 for selective service; or driver's license number  
6 could be reduced without adverse effects;

7 “(H) additional steps that can be taken to  
8 simplify the financial aid application process for  
9 students who (or, in the case of dependent stu-  
10 dents, whose parents) are not required to file  
11 an income tax return for the prior taxable year;

12 “(I) information on the State need for and  
13 usage of the full array of income, asset, and  
14 other information currently collected, as of the  
15 time of the study, on the FAFSA, including  
16 analyses of—

17 “(i) what data are currently used by  
18 States to determine eligibility for State  
19 student financial aid, and whether the data  
20 are used for merit or need-based aid;

21 “(ii) the extent to which the full array  
22 of income and asset information currently  
23 collected on the FAFSA play an important  
24 role in the awarding of need-based State fi-  
25 nancial aid, and whether the State could

1 use income and asset information that was  
2 more limited to support determinations of  
3 eligibility for such State aid programs;

4 “(iii) whether data are required by  
5 State law, State regulations, or policy di-  
6 rectives;

7 “(iv) what State official has the au-  
8 thority to advise the Department on what  
9 the State requires to calculate need-based  
10 State student financial aid;

11 “(v) the extent to which any State-  
12 specific information requirements could be  
13 met by completion of a State application  
14 linked to the electronic version of the  
15 FAFSA; and

16 “(vi) whether the State can use, as of  
17 the time of the study, or could use, a stu-  
18 dent’s expected family contribution based  
19 on data from 2 years prior to the student’s  
20 planned enrollment date and a calculation  
21 with reduced data elements and, if not,  
22 what additional information would be need-  
23 ed or what changes would be required; and

24 “(J) information on institutional needs, in-  
25 cluding the extent to which institutions of high-

er education are already using supplemental forms to collect additional data from students and their families to determine eligibility for institutional funds.

~~“(5) USE OF DATA FROM THE INTERNAL REVENUE SERVICE TO PREPOPULATE FAFSA FORMS.—~~

~~After the study required under this subsection has been completed, the Secretary may use Internal Revenue Service data to prepopulate the electronic version of the FAFSA if the Secretary, in a joint decision with the Secretary of Treasury, determines that such use will not significantly negatively impact students, institutions of higher education, States, or the Federal Government based on each of the following criteria:~~

~~“(A) Program costs.~~

~~“(B) Redistributive effects on students.~~

~~“(C) Accuracy of aid determinations.~~

~~“(D) Reduction of burden to the FAFSA filers.~~

~~“(E) Whether all States and institutions that currently accept the Federal aid formula accept the use of data from 2 years prior to the date of a student’s planned enrollment in an institution of higher education to award Federal,~~

1 State, and institutional aid, and as a result will  
 2 not require students to complete any additional  
 3 forms to receive this aid.

4 “(6) CONSULTATION.—The Secretary shall con-  
 5 sult with the Advisory Committee on Student Finan-  
 6 cial Assistance established under section 491 as ap-  
 7 propriate in carrying out this subsection.

8 “(7) REPORT.—Not later than 18 months after  
 9 the date of enactment of the Higher Education  
 10 Amendments of 2007, the Comptroller General and  
 11 the Secretary shall prepare and submit a report on  
 12 the results of the study required under this sub-  
 13 section to the authorizing committees.”.

14 **SEC. 474. STUDENT ELIGIBILITY.**

15 Section 484 (20 U.S.C. 1091) is amended—

16 (1) in subsection (d), by adding at the end the  
 17 following:

18 “(4) The student shall be determined by the in-  
 19 stitution of higher education as having the ability to  
 20 benefit from the education or training offered by the  
 21 institution of higher education, upon satisfactory  
 22 completion of 6 credit hours or the equivalent  
 23 coursework that are applicable toward a degree or  
 24 certificate offered by the institution of higher edu-  
 25 cation.”;

1           (2) by striking subsection (1) and inserting the  
2           following:

3           ~~“(1) COURSES OFFERED THROUGH DISTANCE EDU-~~  
4 ~~CATION.—~~

5           ~~“(1) RELATION TO CORRESPONDENCE~~  
6 ~~COURSES.—~~

7           ~~“(A) IN GENERAL.—A student enrolled in~~  
8           ~~a course of instruction at an institution of high-~~  
9           ~~er education that is offered principally through~~  
10           ~~distance education and leads to a recognized~~  
11           ~~certificate, or associate, baccalaureate, or grad-~~  
12           ~~uate degree, conferred by such institution, shall~~  
13           ~~not be considered to be enrolled in correspond-~~  
14           ~~ence courses.~~

15           ~~“(B) EXCEPTION.—An institution of high-~~  
16           ~~er education referred to in subparagraph (A)~~  
17           ~~shall not include an institution or school de-~~  
18           ~~scribed in section 3(3)(C) of the Carl D. Per-~~  
19           ~~kins Career and Technical Education Act of~~  
20           ~~2006.~~

21           ~~“(2) RESTRICTION OR REDUCTIONS OF FINAN-~~  
22           ~~CIAL AID.—A student’s eligibility to receive grants,~~  
23           ~~loans, or work assistance under this title shall be re-~~  
24           ~~duced if a financial aid officer determines under the~~  
25           ~~discretionary authority provided in section 479A~~

1       that distance education results in a substantially re-  
2       duced cost of attendance to such student.

3           ~~“(3) SPECIAL RULE.—For award years prior to~~  
4       the date of enactment of this subsection, the Sec-  
5       retary shall not take any compliance, disallowance,  
6       penalty, or other action against a student or an eli-  
7       gible institution when such action arises out of such  
8       institution’s prior award of student assistance under  
9       this title if the institution demonstrates to the satis-  
10      faction of the Secretary that its course of instruction  
11      would have been in conformance with the require-  
12      ments of this subsection.”; and

13           ~~(3)~~ by adding at the end the following:

14      ~~“(s) STUDENTS WITH INTELLECTUAL DISABIL-~~  
15      ~~ITIES.—Notwithstanding subsection (a), in order to re-~~  
16      ceive any grant or work assistance under subparts 1 and  
17      3 of part A and part C of this title, a student with an  
18      intellectual disability shall—

19           ~~“(1) be an individual with an intellectual dis-~~  
20      ability whose mental retardation or other significant  
21      cognitive impairment substantially impacts the indi-  
22      vidual’s intellectual and cognitive functioning;

23           ~~“(2)(A) be a student eligible for assistance~~  
24      under the Individuals with Disabilities Education  
25      Act who—

1           “(i) has completed secondary school with a  
2           diploma or certificate; or

3           “(ii) has completed secondary school; or

4           “(B) be an individual who is no longer eligible  
5           for assistance under the Individuals with Disabilities  
6           Education Act because the individual has exceeded  
7           the maximum age for which the State provides a  
8           free appropriate public education;

9           “(3) be enrolled or accepted for enrollment in  
10          a comprehensive transition and postsecondary edu-  
11          cation program that—

12               “(A) is designed for students with an intel-  
13               lectual disability who are seeking to continue  
14               academic, vocational, and independent living in-  
15               struction at the institution in order to prepare  
16               for gainful employment and independent living;

17               “(B) includes an advising and curriculum  
18               structure;

19               “(C) requires students to participate on at  
20               least a half-time basis, as determined by the in-  
21               stitution; or

22               “(D) includes—

23                       “(i) regular enrollment in courses of-  
24                       fered by the institution;

1                   “(ii) auditing or participating in  
2                   courses offered by the institution for which  
3                   the student does not receive regular aca-  
4                   demic credit;

5                   “(iii) enrollment in noncredit, non-  
6                   degree courses;

7                   “(iv) participation in internships; or

8                   “(v) a combination of 2 or more of  
9                   the activities described in clauses (i)  
10                  through (iv);

11                  “(4) be maintaining satisfactory progress in the  
12                  program as determined by the institution, in accord-  
13                  ance with standards established by the institution;  
14                  and

15                  “(5) meet the requirements of paragraphs (3),  
16                  (4), (5), and (6) of subsection (a).”.

17 **SEC. 475. STATUTE OF LIMITATIONS AND STATE COURT**  
18 **JUDGMENTS.**

19                  Section 484A (20 U.S.C. 1091a) is amended—

20                  (1) in subsection (b)—

21                         (A) in paragraph (1), by striking “and”  
22                         after the semicolon;

23                         (B) in paragraph (2), by striking the pe-  
24                         riod and inserting “; and”; and

25                         (C) by adding at the end the following:



1           ~~“(3) in collecting any obligation arising from a~~  
 2           ~~loan made under part E of this title, an institution~~  
 3           ~~of higher education that has an agreement with the~~  
 4           ~~Secretary pursuant to section 463(a) shall not be~~  
 5           ~~subject to a defense raised by any borrower based on~~  
 6           ~~a claim of infancy.”; and~~

7           ~~(2) by adding at the end the following:~~

8           ~~“(d) SPECIAL RULE.—This section shall not apply in~~  
 9           ~~the case of a student who is deceased or to a deceased~~  
 10           ~~student’s estate or the estate of such student’s family. If~~  
 11           ~~a student is deceased, then the student’s estate or the es-~~  
 12           ~~tate of the student’s family shall not be required to repay~~  
 13           ~~any financial assistance under this title, including interest~~  
 14           ~~paid on the student’s behalf, collection costs, or other~~  
 15           ~~charges specified in this title.”.~~

16   **SEC. 476. INSTITUTIONAL REFUNDS.**

17           ~~Section 484B(e)(2) (20 U.S.C. 1091B(e)(2)) is~~  
 18           ~~amended by striking “may determine the appropriate~~  
 19           ~~withdrawal date.” and inserting “may determine—~~

20                     ~~“(A) the appropriate withdrawal date; and~~

21                     ~~“(B) that the requirements of this section~~  
 22                     ~~do not apply to the student.”.~~

23   **SEC. 477. INSTITUTIONAL AND FINANCIAL ASSISTANCE IN-**  
 24                     **FORMATION FOR STUDENTS.**

25           ~~Section 485 (20 U.S.C. 1092) is amended—~~

1           (1) in subsection (a)—

2                   (A) in paragraph (1)—

3                           (i) by striking subparagraph (M) and  
4                           inserting the following:

5                           “(M) the terms and conditions of the loans  
6                           that students receive under parts B, D, and  
7                           E;”;

8                           (ii) in subparagraph (N), by striking  
9                           “and” after the semicolon;

10                           (iii) in subparagraph (O), by striking  
11                           the period and inserting a semicolon; and

12                           (iv) by adding at the end the fol-  
13                           lowing:

14                           “(P) institutional policies and sanctions related  
15                           to copyright infringement that inform students that  
16                           unauthorized distribution of copyrighted material on  
17                           the institution’s information technology systems, in-  
18                           cluding engaging in unauthorized peer-to-peer file  
19                           sharing, may subject the students to civil and crimi-  
20                           nal penalties;”

21                           “(Q) student body diversity at the institution,  
22                           including information on the percentage of enrolled,  
23                           full-time students who are—

24                                   “(i) male;

25                                   “(ii) female;

1           “(iii) from a low-income background; and

2           “(iv) a self-identified member of a major  
3 racial or ethnic group;

4           “(R) the placement in employment of, and  
5 types of employment obtained by, graduates of  
6 the institution’s degree or certificate programs;  
7 gathered from such sources as alumni surveys,  
8 student satisfaction surveys, the National Sur-  
9 vey of Student Engagement, the Community  
10 College Survey of Student Engagement, State  
11 data systems, or other relevant sources;

12           “(S) the types of graduate and professional  
13 education in which graduates of the institu-  
14 tion’s 4-year degree programs enrolled, gath-  
15 ered from such sources as alumni surveys, stu-  
16 dent satisfaction surveys, the National Survey  
17 of Student Engagement, State data systems, or  
18 other relevant sources; and

19           “(T) the fire safety report prepared by the  
20 institution pursuant to subsection (i).”;

21           (B) by striking paragraph (4) and insert-  
22 ing the following:

23           “(4) For purposes of this section, institutions  
24 may—

1           “(A) exclude from the information dis-  
 2           closed in accordance with subparagraph (L) of  
 3           paragraph (1) the completion or graduation  
 4           rates of students who leave school to serve in  
 5           the Armed Forces, on official church missions,  
 6           or with a recognized foreign aid service of the  
 7           Federal Government; or

8           “(B) in cases where the students described  
 9           in subparagraph (A) represent 20 percent or  
 10          more of the certificate- or degree-seeking, full-  
 11          time, undergraduate students at the institution,  
 12          the institution may recalculate the completion  
 13          or graduation rates of such students by exclud-  
 14          ing from the calculation described in paragraph  
 15          (3) the time period such students were not en-  
 16          rolled due to their service in the Armed Forces,  
 17          on official church missions, or with a recognized  
 18          foreign aid service of the Federal Govern-  
 19          ment.”; and

20          (C) by adding at the end the following:

21          “(7) The information disclosed under subparagraph  
 22          (L) of paragraph (1), or reported under subsection (e),  
 23          shall include information disaggregated by gender, by each  
 24          major racial and ethnic subgroup, by recipients of a Fed-  
 25          eral Pell Grant, by recipients of a loan made under this

1 part or part D (other than a loan made under section  
 2 428H or a Federal Direct Unsubsidized Stafford Loan)  
 3 who did not receive a Federal Pell Grant, and by recipients  
 4 of neither a Federal Pell Grant nor a loan made under  
 5 this part or part D (other than a loan made under section  
 6 428H or a Federal Direct Unsubsidized Stafford Loan);  
 7 if the number of students in such subgroup or with such  
 8 status is sufficient to yield statistically reliable informa-  
 9 tion and reporting would not reveal personally identifiable  
 10 information about an individual student. If such number  
 11 is not sufficient for such purposes, then the institution  
 12 shall note that the institution enrolled too few of such stu-  
 13 dents to so disclose or report with confidence and con-  
 14 fidentiality.”;

15           (2) in subsection (b)—

16                   (A) in paragraph (1)(A), by striking the  
 17 subparagraph designation and all that follows  
 18 through “465.” and inserting the following:

19                   “(A) Each eligible institution shall,  
 20 through financial aid offices or otherwise, pro-  
 21 vide counseling to borrowers of loans that are  
 22 made, insured, or guaranteed under part B  
 23 (other than loans made pursuant to section  
 24 428C or loans made to parents pursuant to sec-  
 25 tion 428B), or made under part D (other than

1 Federal Direct Consolidation Loans or Federal  
2 Direct PLUS Loans made to parents) or E,  
3 prior to the completion of the course of study  
4 for which the borrower enrolled at the institu-  
5 tion or at the time of departure from such insti-  
6 tution. The counseling required by this sub-  
7 section shall include—

8 “(i) information on the repayment  
9 plans available, including a discussion of  
10 the different features of each plan and  
11 sample information showing the difference  
12 in interest paid and total payments under  
13 each plan;

14 “(ii) the average anticipated monthly  
15 repayments under the standard repayment  
16 plan and, at the borrower’s request, the  
17 other repayment plans for which the bor-  
18 rower is eligible;

19 “(iii) such debt and management  
20 strategies as the institution determines are  
21 designed to facilitate the repayment of  
22 such indebtedness;

23 “(iv) an explanation that the borrower  
24 has the ability to prepay each such loan;

1 pay the loan on a shorter schedule, and  
 2 change repayment plans;

3 “(v) the terms and conditions under  
 4 which the student may obtain full or par-  
 5 tial forgiveness or cancellation of principal  
 6 or interest under sections 428J, 460, and  
 7 465 (to the extent that such sections are  
 8 applicable to the student’s loans);

9 “(vi) the terms and conditions under  
 10 which the student may defer repayment of  
 11 principal or interest or be granted forbear-  
 12 ance under subsections (b)(1)(M) and (o)  
 13 of section 428, 428H(e)(7), subsections (f)  
 14 and (I) of section 455, and section  
 15 464(c)(2), and the potential impact of such  
 16 deferment or forbearance;

17 “(vii) the consequences of default on  
 18 such loans;

19 “(viii) information on the effects of  
 20 using a consolidation loan to discharge the  
 21 borrower’s loans under parts B, D, and E,  
 22 including, at a minimum—

23 “(I) the effects of consolidation  
 24 on total interest to be paid, fees to be  
 25 paid, and length of repayment;

1                   “(H) the effects of consolidation  
2                   on a borrower’s underlying loan bene-  
3                   fits, including all grace periods, loan  
4                   forgiveness, cancellation, and  
5                   deferment opportunities;

6                   “(III) the ability of the borrower  
7                   to prepay the loan or change repay-  
8                   ment plans; and

9                   “(IV) that borrower benefit pro-  
10                  grams may vary among different loan  
11                  holders; and

12                  “(ix) a notice to borrowers about the  
13                  availability of the National Student Loan  
14                  Data System and how the system can be  
15                  used by a borrower to obtain information  
16                  on the status of the borrower’s loans.”;  
17                  and

18                  (B) by adding at the end the following:

19                  “(3) Each eligible institution shall, during the  
20                  exit interview required by this subsection, provide to  
21                  a borrower of a loan made under part B, D, or E  
22                  a clear and conspicuous notice describing the general  
23                  effects of using a consolidation loan to discharge the  
24                  borrower’s student loans, including—



1           “(A) the effects of consolidation on total  
2           interest to be paid, fees to be paid, and length  
3           of repayment;

4           “(B) the effects of consolidation on a bor-  
5           rower’s underlying loan benefits, including loan  
6           forgiveness, cancellation, and deferment;

7           “(C) the ability for the borrower to prepay  
8           the loan, pay on a shorter schedule, and to  
9           change repayment plans, and that borrower  
10          benefit programs may vary among different  
11          loan holders;

12          “(D) the tax benefits for which the bor-  
13          rower may be eligible; and

14          “(E) the consequences of default.”;

15          ~~(3)~~ in subsection ~~(d)~~(2)—

16               (A) by inserting “grant assistance, as well  
17               as State” after “describing State”; and

18               (B) by inserting “and other means, includ-  
19               ing through the Internet” before the period at  
20               the end;

21          ~~(4)~~ in subsection ~~(e)~~, by striking paragraph ~~(3)~~

22          and inserting the following:

23               “(3) For purposes of this subsection, institu-  
24               tions may—

1           “(A) exclude from the reporting require-  
 2           ments under paragraphs (1) and (2) the com-  
 3           pletion or graduation rates of students and stu-  
 4           dent athletes who leave school to serve in the  
 5           Armed Forces, on official church missions, or  
 6           with a recognized foreign aid service of the Fed-  
 7           eral Government; or

8           “(B) in cases where the students described  
 9           in subparagraph (A) represent 20 percent or  
 10          more of the certificate- or degree-seeking, full-  
 11          time, undergraduate students at the institution,  
 12          the institution may calculate the completion or  
 13          graduation rates of such students by excluding  
 14          from the calculations described in paragraph  
 15          (1) the time period such students were not en-  
 16          rolled due to their service in the Armed Forces,  
 17          on official church missions, or with a recognized  
 18          foreign aid service of the Federal Govern-  
 19          ment.”;

20          (5) in subsection (f)—

21                (A) in paragraph (1)—

22                   (i) the matter preceding subparagraph  
 23                   (A), by inserting “, other than a foreign  
 24                   institution of higher education,” after  
 25                   “under this title”; and

1                   (ii) by adding at the end the fol-  
2                   lowing:

3                   “(J) A statement of current campus poli-  
4                   cies regarding immediate emergency response  
5                   and evacuation procedures, including the use of  
6                   electronic and cellular communication (if appro-  
7                   priate), which policies shall include proce-  
8                   dures—

9                   “(i) to notify the campus community  
10                  in a reasonable and timely manner in the  
11                  event of a significant emergency or dan-  
12                  gerous situation, involving an immediate  
13                  threat to the health or safety of students  
14                  or staff, occurring on the campus;

15                  “(ii) to publicize emergency response  
16                  and evacuation procedures on an annual  
17                  basis in a manner designed to reach stu-  
18                  dents and staff; and

19                  “(iii) to test emergency response and  
20                  evacuation procedures on an annual  
21                  basis.”;

22                  (B) by redesignating paragraph (15) as  
23                  paragraph (17); and

24                  (C) by inserting after paragraph (14) the  
25                  following:

1           “(15) COMPLIANCE REPORT.—The Secretary  
2           shall annually report to the authorizing committees  
3           regarding compliance with this subsection by institu-  
4           tions of higher education, including an up-to-date re-  
5           port on the Secretary’s monitoring of such compli-  
6           ance.

7           “(16) BEST PRACTICES.—The Secretary may  
8           seek the advice and counsel of the Attorney General  
9           concerning the development, and dissemination to  
10          institutions of higher education, of best practices in-  
11          formation about campus safety and emergencies.”;  
12          and

13                 (6) by adding at the end the following:

14           “(h) TRANSFER OF CREDIT POLICIES.—

15                 “(1) DISCLOSURE.—Each institution of higher  
16           education participating in any program under this  
17           title shall publicly disclose in a readable and com-  
18           prehensible manner the institution’s transfer of cred-  
19           it policies which shall include a statement of the in-  
20           stitution’s current transfer of credit policies that in-  
21           cludes, at a minimum—

22                         “(A) a statement that transfer of credit  
23                         shall not be denied solely on the basis of the  
24                         agency or association that accredited such other  
25                         institution of higher education, if that agency

or association is recognized by the Secretary pursuant to section 496 to be a reliable authority as to the quality of the education or training offered; and

“(B) a list of institutions of higher education with which the institution has established an articulation agreement.

“(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to—

“(A) authorize an officer or employee of the Department to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any institution of higher education, or over any accrediting agency or association;

“(B) limit the application of the General Education Provisions Act; or

“(C) create any legally enforceable right on the part of a student to require an institution of higher education to accept a transfer of credit from another institution.

“(i) DISCLOSURE OF FIRE SAFETY STANDARDS AND MEASURES.—

“(1) ANNUAL FIRE SAFETY REPORTS ON STUDENT HOUSING REQUIRED.—Each eligible institu-

1       tion participating in any program under this title  
2       shall, on an annual basis, publish a fire safety re-  
3       port, which shall contain information with respect to  
4       the campus fire safety practices and standards of  
5       that institution, including—

6               “(A) statistics concerning the following in  
7       each on-campus student housing facility during  
8       the most recent calendar years for which data  
9       are available—

10              “(i) the number of fires and the cause  
11       of each fire;

12              “(ii) the number of injuries related to  
13       a fire that result in treatment at a medical  
14       facility;

15              “(iii) the number of deaths related to  
16       a fire; and

17              “(iv) the value of property damage  
18       caused by a fire;

19              “(B) a description of each on-campus stu-  
20       dent housing facility fire safety system, includ-  
21       ing the fire sprinkler system;

22              “(C) the number of regular mandatory su-  
23       pervised fire drills;

24              “(D) policies or rules on portable electrical  
25       appliances, smoking, and open flames (such as

1 candles), procedures for evacuation, and policies  
 2 regarding fire safety education and training  
 3 programs provided to students, faculty, and  
 4 staff; and

5 “(E) plans for future improvements in fire  
 6 safety, if determined necessary by such institu-  
 7 tion.

8 “(2) REPORT TO THE SECRETARY.—Each eligi-  
 9 ble institution participating in any program under  
 10 this title shall, on an annual basis submit to the Sec-  
 11 retary a copy of the statistics required to be made  
 12 available under subparagraph (A).

13 “(3) CURRENT INFORMATION TO CAMPUS COM-  
 14 MUNITY.—Each institution participating in any pro-  
 15 gram under this title shall—

16 “(A) make, keep, and maintain a log, re-  
 17 cording all fires in on-campus student housing  
 18 facilities, including the nature, date, time, and  
 19 general location of each fire; and

20 “(B) make annual reports to the campus  
 21 community on such fires.

22 “(4) RESPONSIBILITIES OF THE SECRETARY.—  
 23 The Secretary shall—

24 “(A) make such statistics submitted to the  
 25 Secretary available to the public; and

1           “(B) in coordination with nationally recog-  
 2           nized fire organizations and representatives of  
 3           institutions of higher education, representatives  
 4           of associations of institutions of higher edu-  
 5           cation, and other organizations that represent  
 6           and house a significant number of students—

7                   “(i) identify exemplary fire safety  
 8                   policies, procedures, programs, and prac-  
 9                   tices;

10                   “(ii) disseminate information to the  
 11                   Administrator of the United States Fire  
 12                   Administration;

13                   “(iii) make available to the public in-  
 14                   formation concerning those policies, proce-  
 15                   dures, programs, and practices that have  
 16                   proven effective in the reduction of fires;  
 17                   and

18                   “(iv) develop a protocol for institu-  
 19                   tions to review the status of their fire safe-  
 20                   ty systems.

21           “(5) RULES OF CONSTRUCTION.—Nothing in  
 22           this subsection shall be construed to—

23                   “(A) authorize the Secretary to require  
 24                   particular policies, procedures, programs, or  
 25                   practices by institutions of higher education



1 with respect to fire safety, other than with re-  
 2 spect to the collection, reporting, and dissemi-  
 3 nation of information required by this sub-  
 4 section;

5 “(B) affect the Family Educational Rights  
 6 and Privacy Act of 1974 or the regulations  
 7 issued under section 264 of the Health Insur-  
 8 ance Portability and Accountability Act of 1996  
 9 (42 U.S.C. 1320d-2 note).

10 “(C) create a cause of action against any  
 11 institution of higher education or any employee  
 12 of such an institution for any civil liability; and

13 “(D) establish any standard of care.

14 “(6) COMPLIANCE REPORT.—The Secretary  
 15 shall annually report to the authorizing committees  
 16 regarding compliance with this subsection by institu-  
 17 tions of higher education, including an up-to-date re-  
 18 port on the Secretary’s monitoring of such compli-  
 19 ance.

20 “(7) EVIDENCE.—Notwithstanding any other  
 21 provision of law, evidence regarding compliance or  
 22 noncompliance with this subsection shall not be ad-  
 23 missible as evidence in any proceeding of any court,  
 24 agency, board, or other entity, except with respect to  
 25 an action to enforce this subsection.”

1 **SEC. 478. NATIONAL STUDENT LOAN DATA SYSTEM.**

2 Section 485B (20 U.S.C. 1092b) is amended—

3 (1) in subsection (a)—

4 (A) by redesignating paragraphs (6)  
5 through (10) as paragraphs (7) through (11),  
6 respectively;

7 (B) in paragraph (5) (as added by Public  
8 Law 101-610), by striking “effectiveness.” and  
9 inserting “effectiveness;” and

10 (C) by redesignating paragraph (5) (as  
11 added by Public Law 101-234) as paragraph  
12 (6);

13 (2) by redesignating subsections (d) through (g)  
14 as subsections (e) through (h), respectively; and

15 (3) by inserting after subsection (e) the fol-  
16 lowing:

17 “(d) PRINCIPLES FOR ADMINISTERING THE DATA  
18 SYSTEM.—In managing the National Student Loan Data  
19 System, the Secretary shall take actions necessary to  
20 maintain confidence in the data system, including, at a  
21 minimum—

22 “(1) ensuring that the primary purpose of ac-  
23 cess to the data system by guaranty agencies, eligi-  
24 ble lenders, and eligible institutions of higher edu-  
25 cation is for legitimate program operations, such as  
26 the need to verify the eligibility of a student, poten-

1        tial student, or parent for loans under part B, D, or  
 2        E;

3            “(2) prohibiting nongovernmental researchers  
 4        and policy analysts from accessing personally identi-  
 5        fiable information;

6            “(3) creating a disclosure form for students and  
 7        potential students that is distributed when such stu-  
 8        dents complete the common financial reporting form  
 9        under section 483, and as a part of the exit coun-  
 10       seling process under section 485(b), that—

11            “(A) informs the students that any title IV  
 12        grant or loan the students receive will be in-  
 13        cluded in the National Student Loan Data Sys-  
 14        tem, and instructs the students on how to ac-  
 15        cess that information;

16            “(B) describes the categories of individuals  
 17        or entities that may access the data relating to  
 18        such grant or loan through the data system,  
 19        and for what purposes access is allowed;

20            “(C) defines and explains the categories of  
 21        information included in the data system;

22            “(D) provides a summary of the provisions  
 23        of the Family Educational Rights and Privacy  
 24        Act of 1974 and other applicable Federal pri-  
 25        vacy statutes, and a statement of the students’

1 rights and responsibilities with respect to such  
2 statutes;

3 “(E) explains the measures taken by the  
4 Department to safeguard the students’ data;  
5 and

6 “(F) includes other information as deter-  
7 mined appropriate by the Secretary;

8 “(4) requiring guaranty agencies, eligible lend-  
9 ers, and eligible institutions of higher education that  
10 enter into an agreement with a potential student,  
11 student, or parent of such student regarding a loan  
12 under part B, D, or E, to inform the student or par-  
13 ent that such loan shall be—

14 “(A) submitted to the data system; and

15 “(B) accessible to guaranty agencies, eligi-  
16 ble lenders, and eligible institutions of higher  
17 education determined by the Secretary to be au-  
18 thorized users of the data system;

19 “(5) regularly reviewing the data system to—

20 “(A) delete inactive users from the data  
21 system;

22 “(B) ensure that the data in the data sys-  
23 tem are not being used for marketing purposes;  
24 and

1           ~~“(C) monitor the use of the data system by~~  
 2           ~~guaranty agencies and eligible lenders to deter-~~  
 3           ~~mine whether an agency or lender is accessing~~  
 4           ~~the records of students in which the agency or~~  
 5           ~~lender has no existing financial interest; and~~

6           ~~“(6) developing standardized protocols for lim-~~  
 7           ~~iting access to the data system that include—~~

8           ~~“(A) collecting data on the usage of the~~  
 9           ~~data system to monitor whether access has been~~  
 10           ~~or is being used contrary to the purposes of the~~  
 11           ~~data system;~~

12           ~~“(B) defining the steps necessary for de-~~  
 13           ~~termining whether, and how, to deny or restrict~~  
 14           ~~access to the data system; and~~

15           ~~“(C) determining the steps necessary to re-~~  
 16           ~~open access to the data system following a de-~~  
 17           ~~nial or restriction of access.”; and~~

18           ~~(4) by striking subsection (c) (as redesignated~~  
 19           ~~by paragraph (1)) and inserting the following:~~

20           ~~“(e) REPORTS TO CONGRESS.—~~

21           ~~“(1) ANNUAL REPORT.—Not later than Sep-~~  
 22           ~~tember 30 of each fiscal year, the Secretary shall~~  
 23           ~~prepare and submit to the appropriate committees of~~  
 24           ~~Congress a report describing—~~

1           “(A) the results obtained by the establish-  
2           ment and operation of the National Student  
3           Loan Data System authorized by this section;

4           “(B) the effectiveness of existing privacy  
5           safeguards in protecting student and parent in-  
6           formation in the data system;

7           “(C) the success of any new authorization  
8           protocols in more effectively preventing abuse of  
9           the data system;

10          “(D) the ability of the Secretary to mon-  
11          itor how the system is being used, relative to  
12          the intended purposes of the data system; and

13          “(E) any protocols developed under sub-  
14          section (d)(6) during the preceding fiscal year.

15          “(2) STUDY.—

16          “(A) IN GENERAL.—The Secretary shall  
17          conduct a study regarding—

18               “(i) available mechanisms for pro-  
19               viding students and parents with the abil-  
20               ity to opt in or opt out of allowing eligible  
21               lenders to access their records in the Na-  
22               tional Student Loan Data System; and

23               “(ii) appropriate protocols for limiting  
24               access to the data system, based on the  
25               risk assessment required under subchapter

1                   III of chapter 35 of title 44, United States  
2                   Code.

3                   “(B) SUBMISSION OF STUDY.—Not later  
4                   than 3 years after the date of enactment of the  
5                   Higher Education Amendments of 2007, the  
6                   Secretary shall prepare and submit a report on  
7                   the findings of the study to the appropriate  
8                   committees of Congress.”.

9   **SEC. 479. EARLY AWARENESS OF FINANCIAL AID ELIGI-**  
10                   **BILITY.**

11           Part G of title IV (20 U.S.C. 1088 et seq.) is further  
12 amended by inserting after section 485D (20 U.S.C.  
13 1092e) the following:

14   **“SEC. 485E. EARLY AWARENESS OF FINANCIAL AID ELIGI-**  
15                   **BILITY.**

16           “(a) IN GENERAL.—The Secretary shall implement,  
17 in cooperation with States, institutions of higher edu-  
18 cation, secondary schools, middle schools, early interven-  
19 tion and outreach programs under this title, other agen-  
20 cies and organizations involved in student financial assist-  
21 ance and college access, public libraries, community cen-  
22 ters, employers, and businesses, a comprehensive system  
23 of early financial aid information in order to provide stu-  
24 dents and families with early information about financial  
25 aid and early estimates of such students’ eligibility for fi-

1 nancial aid from multiple sources. Such system shall in-  
 2 clude the activities described in subsections (b) and (c).

3 ~~“(b) COMMUNICATION OF AVAILABILITY OF AID AND~~  
 4 ~~AID ELIGIBILITY.—~~

5 ~~“(1) STUDENTS WHO RECEIVE BENEFITS.—The~~  
 6 ~~Secretary shall—~~

7 ~~“(A) make special efforts to notify stu-~~  
 8 ~~dents, who receive or are eligible to receive ben-~~  
 9 ~~efits under a Federal means-tested benefit pro-~~  
 10 ~~gram (including the food stamp program under~~  
 11 ~~the Food Stamp Act of 1977 (7 U.S.C. 2011 et~~  
 12 ~~seq.)) or another such benefit program as deter-~~  
 13 ~~mined by the Secretary, of such students’ po-~~  
 14 ~~tential eligibility for a maximum Federal Pell~~  
 15 ~~Grant under subpart 1 of part A; and~~

16 ~~“(B) disseminate such informational mate-~~  
 17 ~~rials as the Secretary determines necessary.~~

18 ~~“(2) MIDDLE SCHOOL STUDENTS.—The See-~~  
 19 ~~retary, in cooperation with States, institutions of~~  
 20 ~~higher education, other organizations involved in col-~~  
 21 ~~lege access and student financial aid, middle schools,~~  
 22 ~~and programs under this title that serve middle~~  
 23 ~~school students, shall make special efforts to notify~~  
 24 ~~students and their parents of the availability of fi-~~  
 25 ~~nancial aid under this title and, in accordance with~~



1 subsection (c), shall provide nonbinding estimates of  
2 grant and loan aid that an individual may be eligible  
3 for under this title upon completion of an applica-  
4 tion form under section 483(a). The Secretary shall  
5 ensure that such information is as accurate as pos-  
6 sible and that such information is provided in an  
7 age-appropriate format using dissemination mecha-  
8 nisms suitable for students in middle school.

9 “(3) SECONDARY SCHOOL STUDENTS.—The  
10 Secretary, in cooperation with States, institutions of  
11 higher education, other organizations involved in col-  
12 lege access and student financial aid, secondary  
13 schools, and programs under this title that serve sec-  
14 ondary school students, shall make special efforts to  
15 notify students in secondary school and their par-  
16 ents, as early as possible but not later than such  
17 students’ junior year of secondary school, of the  
18 availability of financial aid under this title and, in  
19 accordance with subsection (c), shall provide non-  
20 binding estimates of the amounts of grant and loan  
21 aid that an individual may be eligible for under this  
22 title upon completion of an application form under  
23 section 483(a). The Secretary shall ensure that such  
24 information is as accurate as possible and that such  
25 information is provided in an age-appropriate format

1 using dissemination mechanisms suitable for stu-  
 2 dents in secondary school.

3 ~~“(4) ADULT LEARNERS.—~~The Secretary, in co-  
 4 operation with States, institutions of higher edu-  
 5 cation, other organizations involved in college access  
 6 and student financial aid, employers, workforce in-  
 7 vestment boards and public libraries, shall make spe-  
 8 cial efforts to provide individuals who would qualify  
 9 as independent students, as defined in section  
 10 480(d), with information regarding the availability  
 11 of financial aid under this title and, in accordance  
 12 with subsection (e), with nonbinding estimates of the  
 13 amounts of grant and loan aid that an individual  
 14 may be eligible for under this title upon completion  
 15 of an application form under section 483(a). The  
 16 Secretary shall ensure that such information—

17 ~~“(A) is as accurate as possible;~~

18 ~~“(B) includes specific information regard-~~  
 19 ~~ing the availability of financial aid for students~~  
 20 ~~qualified as independent students, as defined in~~  
 21 ~~section 480(d); and~~

22 ~~“(C) uses dissemination mechanisms suit-~~  
 23 ~~able for adult learners.~~

24 ~~“(5) PUBLIC AWARENESS CAMPAIGN.—~~Not  
 25 later than 2 years after the date of enactment of the

1 Higher Education Amendments of 2007, the Sec-  
 2 retary, in coordination with States, institutions of  
 3 higher education, early intervention and outreach  
 4 programs under this title, other agencies and organi-  
 5 zations involved in student financial aid, local edu-  
 6 cational agencies, public libraries, community cen-  
 7 ters, businesses, employers, employment services,  
 8 workforce investment boards, and movie theaters,  
 9 shall implement a public awareness campaign in  
 10 order to increase national awareness regarding the  
 11 availability of financial aid under this title. The pub-  
 12 lic awareness campaign shall disseminate accurate  
 13 information regarding the availability of financial  
 14 aid under this title and shall be implemented, to the  
 15 extent practicable, using a variety of media, includ-  
 16 ing print, television, radio and the Internet. The  
 17 Secretary shall design and implement the public  
 18 awareness campaign based upon relevant inde-  
 19 pendent research and the information and dissemi-  
 20 nation strategies found most effective in imple-  
 21 menting paragraphs (1) through (4).

22 “(c) AVAILABILITY OF NONBINDING ESTIMATES OF  
 23 FEDERAL FINANCIAL AID ELIGIBILITY.—

24 “(1) IN GENERAL.—The Secretary, in coopera-  
 25 tion with States, institutions of higher education,

1 and other agencies and organizations involved in stu-  
 2 dent financial aid, shall provide, via a printed form  
 3 and the Internet or other electronic means, the capa-  
 4 bility for individuals to determine easily, by entering  
 5 relevant data, nonbinding estimates of amounts of  
 6 grant and loan aid an individual may be eligible for  
 7 under this title upon completion and processing of  
 8 an application and enrollment in an institution of  
 9 higher education.

10 “(2) DATA ELEMENTS.—The Secretary, in co-  
 11 operation with States, institutions of higher edu-  
 12 cation, and other agencies and organizations in-  
 13 volved in student financial aid, shall determine the  
 14 data elements that are necessary to create a sim-  
 15 plified form that individuals can use to obtain easily  
 16 nonbinding estimates of the amounts of grant and  
 17 loan aid an individual may be eligible for under this  
 18 title.

19 “(3) QUALIFICATION TO USE SIMPLIFIED AP-  
 20 PPLICATION.—The capability provided under this  
 21 paragraph shall include the capability to determine  
 22 whether the individual is eligible to submit a sim-  
 23 plified application form under paragraph (2)(B) or  
 24 (3)(B) of section 483(a).”.

1 **SEC. 480. PROGRAM PARTICIPATION AGREEMENTS.**

2 Section 487 (20 U.S.C. 1094) is amended—

3 (1) in subsection (a)—

4 (A) by redesignating paragraphs (21),  
5 (22), and (23) as (24), (25), and (26), respec-  
6 tively;

7 (B) by inserting after paragraph (20) the  
8 following:

9 “(21) CODE OF CONDUCT.—

10 “(A) IN GENERAL.—The institution will  
11 establish, follow, and enforce a code of conduct  
12 regarding student loans that includes not less  
13 than the following:

14 “(i) REVENUE SHARING PROHIBI-  
15 TION.—The institution is prohibited from  
16 receiving anything of value from any lender  
17 in exchange for any advantage sought by  
18 the lender to make educational loans to a  
19 student enrolled, or who is expected to be  
20 enrolled, at the institution, except that an  
21 institution shall not be prohibited from re-  
22 ceiving a philanthropic contribution from a  
23 lender if the contribution is not made in  
24 exchange for any such advantage.

25 “(ii) GIFT AND TRIP PROHIBITION.—

26 Any employee who is employed in the fi-

1           nancial aid office of the institution, or who  
2           otherwise has responsibilities with respect  
3           to educational loans or other financial aid  
4           of the institution, is prohibited from taking  
5           from any lender any gift or trip worth  
6           more than nominal value, except for rea-  
7           sonable expenses for professional develop-  
8           ment that will improve the efficiency and  
9           effectiveness of programs under this title  
10          and for domestic travel to such profes-  
11          sional development.

12                “(iii)     CONTRACTING     ARRANGE-  
13          MENTS.—Any employee who is employed in  
14          the financial aid office of the institution, or  
15          who otherwise has responsibilities with re-  
16          spect to educational loans or other finan-  
17          cial aid of the institution, shall be prohib-  
18          ited from entering into any type of con-  
19          sulting arrangement or other contract to  
20          provide services to a lender.

21                “(iv)     ADVISORY BOARD COMPENSA-  
22          TION.—Any employee who is employed in  
23          the financial aid office of the institution, or  
24          who otherwise has responsibilities with re-  
25          spect to educational loans or other finan-

1           cial aid of the institution, and who serves  
 2           on an advisory board, commission, or  
 3           group established by a lender or group of  
 4           lenders shall be prohibited from receiving  
 5           anything of value from the lender or group  
 6           of lenders, except that the employee may  
 7           be reimbursed for reasonable expenses in-  
 8           curred in serving on such advisory board,  
 9           commission or group.

10           “(v) INTERACTION WITH BOR-  
 11           ROWERS.—The institution will not—

12                   “(I) for any first-time borrower,  
 13                   assign, through award packaging or  
 14                   other methods, the borrower’s loan to  
 15                   a particular lender; and

16                   “(H) refuse to certify, or, delay  
 17                   certification of, any loan in accord-  
 18                   ance with paragraph (6) based on the  
 19                   borrower’s selection of a particular  
 20                   lender or guaranty agency.

21           “(B) DESIGNATION.—The institution will  
 22           designate an individual who shall be responsible  
 23           for signing an annual attestation on behalf of  
 24           the institution that the institution agrees to,  
 25           and is in compliance with, the requirements of

the code of conduct described in this paragraph. Such individual shall be the chief executive officer, chief operating officer, chief financial officer, or comparable official, of the institution, and shall annually submit the signed attestation to the Secretary.

~~“(C) AVAILABILITY.—~~The institution will make the code of conduct widely available to the institution’s faculty members, students, and parents through a variety of means, including the institution’s website.”;

~~(C)~~ in paragraph ~~(26)~~ (as redesignated by subparagraph (A)), by adding at the end the following:

~~“(D) In the case of a proprietary institution of higher education as defined in section 102(b), the institution shall be considered in compliance with the requirements of subparagraph (A) for any student to whom the institution electronically transmits a message containing a voter registration form acceptable for use in the State in which the institution is located, or an Internet address where such a form can be downloaded, if such information is~~



1 in an electronic message devoted solely to voter  
2 registration.”; and

3 (D) by adding at the end the following:

4 “(27) In the case of a proprietary institution of  
5 higher education as defined in section 102(b), the  
6 institution will, as calculated in accordance with sub-  
7 section (h)(1), have not less than 10 percent of its  
8 revenues from sources other than funds provided  
9 under this title, or will be subject to the sanctions  
10 described in subsection (h)(2).

11 “(28) PREFERRED LENDER LISTS.—

12 “(A) IN GENERAL.—In the case of an in-  
13 stitution (including an employee or agent of an  
14 institution) that maintains a preferred lender  
15 list, in print or any other medium, through  
16 which the institution recommends one or more  
17 specific lenders for loans made under part B to  
18 the students attending the institution (or the  
19 parents of such students), the institution will—

20 “(i) clearly and fully disclose on the  
21 preferred lender list—

22 “(I) why the institution has in-  
23 cluded each lender as a preferred  
24 lender, especially with respect to

1 terms and conditions favorable to the  
2 borrower; and

3 “(H) that the students attending  
4 the institution (or the parents of such  
5 students) do not have to borrow from  
6 a lender on the preferred lender list;

7 “(ii) ensure, through the use of the  
8 list provided by the Secretary under sub-  
9 paragraph (C), that—

10 “(I) there are not less than 3  
11 lenders named on the preferred lend-  
12 ing list that are not affiliates of each  
13 other; and

14 “(II) the preferred lender list—

15 “(aa) specifically indicates;  
16 for each lender on the list,  
17 whether the lender is or is not an  
18 affiliate of each other lender on  
19 the list; and

20 “(bb) if the lender is an af-  
21 filiate of another lender on the  
22 list, describes the specifics of  
23 such affiliation; and

24 “(iii) establish a process to ensure  
25 that lenders are placed upon the preferred

lender list on the basis of the benefits provided to borrowers, including —

“(I) highly competitive interest rates, terms, or conditions for loans made under part B;

“(II) high-quality customer service for such loans; or

“(III) additional benefits beyond the standard terms and conditions for such loans.

“(B) DEFINITION OF AFFILIATE; CONTROL.—

“(i) DEFINITION OF AFFILIATE.—For the purposes of subparagraph (A)(ii) the term ‘affiliate’ means a person that controls, is controlled by, or is under common control with, another person.

“(ii) CONTROL.—For purposes of subparagraph (A)(ii), a person has control over another person if—

“(I) the person directly or indirectly, or acting through 1 or more others, owns, controls, or has the power to vote 5 percent or more of

1 any class of voting securities of such  
2 other person;

3 “(H) the person controls, in any  
4 manner, the election of a majority of  
5 the directors or trustees of such other  
6 person; or

7 “(III) the Secretary determines  
8 (after notice and opportunity for a  
9 hearing) that the person directly or  
10 indirectly exercises a controlling inter-  
11 est over the management or policies of  
12 such other person.

13 “(C) LIST OF LENDER AFFILIATES.—The  
14 Secretary, in consultation with the Director of  
15 the Federal Deposit Insurance Corporation,  
16 shall maintain and update a list of lender affili-  
17 ates of all eligible lenders, and shall provide  
18 such list to the eligible institutions for use in  
19 carrying out subparagraph (A).”;

20 (2) in subsection (c)(1)(A)(i), by inserting “,  
21 except that the Secretary may modify the require-  
22 ments of this clause with regard to an institution  
23 outside the United States” before the semicolon at  
24 the end;

1           (3) by redesignating subsections (d) and (e) as  
2           subsection (f) and (g), respectively;

3           (4) by inserting after subsection (e) the fol-  
4           lowing:

5           “(d) INSTITUTIONAL REQUIREMENTS FOR TEACH-  
6           OUTS.—

7           “(1) IN GENERAL.—In the event the Secretary  
8           initiates the limitation, suspension, or termination of  
9           the participation of an institution of higher edu-  
10          cation in any program under this title under the au-  
11          thority of subsection (e)(1)(F) or initiates an emer-  
12          gency action under the authority of subsection  
13          (e)(1)(G) and its prescribed regulations, the Sec-  
14          retary shall require that institution to prepare a  
15          teach-out plan for submission to the institution’s ac-  
16          crediting agency or association in compliance with  
17          section 496(e)(4), the Secretary’s regulations on  
18          teach-out plans, and the standards of the institu-  
19          tion’s accrediting agency or association.

20          “(2) TEACH-OUT PLAN DEFINED.—In this sub-  
21          section, the term ‘teach-out plan’ means a written  
22          plan that provides for the equitable treatment of stu-  
23          dents if an institution of higher education ceases to  
24          operate before all students have completed their pro-  
25          gram of study, and may include, if required by the

1 institution's accrediting agency or association, an  
 2 agreement between institutions for such a teach-out  
 3 plan.

4 “(e) VIOLATION OF CODE OF CONDUCT REGARDING  
 5 STUDENT LOANS.—

6 “(1) IN GENERAL.—Upon a finding by the Sec-  
 7 retary, after reasonable notice and an opportunity  
 8 for a hearing, that an institution of higher education  
 9 that has entered into a program participation agree-  
 10 ment with the Secretary under subsection (a) will-  
 11 fully contravened the institution's attestation of  
 12 compliance with the provisions of subsection (a)(21),  
 13 the Secretary may impose a penalty described in  
 14 paragraph (2).

15 “(2) PENALTIES.—A violation of paragraph (1)  
 16 shall result in the limitation, suspension, or termi-  
 17 nation of the eligibility of the institution for the loan  
 18 programs under this title.”; and

19 (5) by adding at the end the following:

20 “(h) IMPLEMENTATION OF NONTITLE IV REVENUE  
 21 REQUIREMENT.—

22 “(1) CALCULATION.—In carrying out sub-  
 23 section (a)(27), a proprietary institution of higher  
 24 education (as defined in section 102(b)) shall use  
 25 the cash basis of accounting and count the following

1 funds as from sources of funds other than funds  
2 provided under this title:

3 “(A) Funds used by students from sources  
4 other than funds received under this title to pay  
5 tuition, fees, and other institutional charges to  
6 the institution, provided the institution can rea-  
7 sonably demonstrate that such funds were used  
8 for such purposes.

9 “(B) Funds used by the institution to sat-  
10 isfy matching-fund requirements for programs  
11 under this title.

12 “(C) Funds used by a student from sav-  
13 ings plans for educational expenses established  
14 by or on behalf of the student and which qualify  
15 for special tax treatment under the Internal  
16 Revenue Code of 1986.

17 “(D) Funds paid by a student, or on be-  
18 half of a student by a party other than the in-  
19 stitution, to the institution for an education or  
20 training program that is not eligible for funds  
21 under this title, provided that the program is  
22 approved or licensed by the appropriate State  
23 agency or an accrediting agency recognized by  
24 the Secretary.

1           “(E) Funds generated by the institution  
 2           from institutional activities that are necessary  
 3           for the education and training of the institu-  
 4           tion’s students, if such activities are—

5                   “(i) conducted on campus or at a fa-  
 6                   cility under the control of the institution;

7                   “(ii) performed under the supervision  
 8                   of a member of the institution’s faculty;  
 9                   and

10                  “(iii) required to be performed by all  
 11                  students in a specific educational program  
 12                  at the institution.

13           “(F) Institutional aid, as follows:

14                   “(i) In the case of loans made by the  
 15                   institution, only the amount of loan repay-  
 16                   ments received by the institution during  
 17                   the fiscal year for which the determination  
 18                   is made.

19                   “(ii) In the case of scholarships pro-  
 20                   vided by the institution, only those scholar-  
 21                   ship funds provided by the institution that  
 22                   are—

23                           “(I) in the form of monetary aid  
 24                           based upon the academic achieve-



ments or financial need of students;  
and

~~“(H) disbursed during the fiscal~~  
~~year for which the determination is~~  
~~made from an established restricted~~  
~~account and only to the extent that~~  
~~the funds in that account represent~~  
~~designated funds from an outside~~  
~~source or income earned on those~~  
~~funds.~~

~~“(iii) In the case of tuition discounts,~~  
~~only those tuition discounts based upon the~~  
~~academic achievement or financial need of~~  
~~students.~~

~~“(2) SANCTIONS.—~~

~~“(A) FAILURE TO MEET REQUIREMENT~~  
~~FOR 1 YEAR.—In addition to such other means~~  
~~of enforcing the requirements of this title as~~  
~~may be available to the Secretary, if an institu-~~  
~~tion fails to meet the requirements of sub-~~  
~~section (a)(27) in any year, the Secretary may~~  
~~impose 1 or both of the following sanctions on~~  
~~the institution:~~

~~“(i) Place the institution on provi-~~  
~~sional certification in accordance with sec-~~

tion 498(h) until the institution demonstrates, to the satisfaction of the Secretary, that it is in compliance with subsection (a)(27).

“(ii) Require such other increased monitoring and reporting requirements as the Secretary determines necessary until the institution demonstrates, to the satisfaction of the Secretary, that it is in compliance with subsection (a)(27).

“(B) FAILURE TO MEET REQUIREMENT FOR 2 YEARS.—An institution that fails to meet the requirements of subsection (a)(27) for 2 consecutive years shall be ineligible to participate in the programs authorized under this title until the institution demonstrates, to the satisfaction of the Secretary, that it is in compliance with subsection (a)(27).

“(3) PUBLIC AVAILABILITY OF INFORMATION.—The Secretary shall make publicly available, through the means described in subsection (b) of section 131, any institution that fails to meet the requirements of subsection (a)(27) in any year as an institution that is failing to meet the minimum non-Federal source

1 of revenue requirements of such subsection  
 2 ~~(a)(27).~~”.

3 **SEC. 481. REGULATORY RELIEF AND IMPROVEMENT.**

4 Section 487A(b) (20 U.S.C. 1094a(b)) is amended—

5 (1) in paragraph (1)—

6 (A) by striking “1998” and inserting  
 7 “2007” ; and

8 (B) by striking “1999” and inserting  
 9 “2008”;

10 (2) by striking the matter preceding paragraph

11 ~~(2)(A)~~ and inserting the following:

12 “~~(2)~~ REPORT.—The Secretary shall review and  
 13 evaluate the experience of institutions participating  
 14 as experimental sites and shall, on a biennial basis,  
 15 submit a report based on the review and evaluation  
 16 to the authorizing committees. Such report shall in-  
 17 clude—”; and

18 ~~(3)~~ in paragraph ~~(3)~~—

19 (A) in subparagraph (A)—

20 (i) by striking “Upon the submission  
 21 of the report required by paragraph ~~(2)~~;  
 22 the” and inserting “The”; and

23 (ii) by inserting “periodically” after  
 24 “authorized to”;

25 (B) by striking subparagraph (B);

1           (C) by redesignating subparagraph (C) as  
2           subparagraph (B); and

3           (D) in subparagraph (B) (as redesignated  
4           by subparagraph (C))—

5           (i) by inserting “, including require-  
6           ments related to the award process and  
7           disbursement of student financial aid (such  
8           as innovative delivery systems for modular  
9           or compressed courses, or other innovative  
10          systems); verification of student financial  
11          aid application data; entrance and exit  
12          interviews; or other management proce-  
13          dures or processes as determined in the ne-  
14          gotiated rulemaking process under section  
15          492” after “requirements in this title”;

16          (ii) by inserting “(other than an  
17          award rule related to an experiment in  
18          modular or compressed schedules)” after  
19          “award rules”; and

20          (iii) by inserting “unless the waiver of  
21          such provisions is authorized by another  
22          provision under this title” before the pe-  
23          riod at the end.

1 **SEC. 482. TRANSFER OF ALLOTMENTS.**

2 Section 488 (20 U.S.C. 1095) is amended in the first  
3 sentence—

4 (1) in paragraph (1), by striking “and” after  
5 the semicolon;

6 (2) in paragraph (2), by striking “413D.” and  
7 inserting “413D; and”; and

8 (3) by adding at the end “(3) transfer 25 per-  
9 cent of the institution’s allotment under section  
10 413D to the institution’s allotment under section  
11 442.”.

12 **SEC. 483. PURPOSE OF ADMINISTRATIVE PAYMENTS.**

13 Section 489(b) (20 U.S.C. 1096(b)) is amended by  
14 striking “offsetting the administrative costs of” and in-  
15 serting “administering”.

16 **SEC. 484. ADVISORY COMMITTEE ON STUDENT FINANCIAL**  
17 **ASSISTANCE.**

18 Section 491 (20 U.S.C. 1098) is amended—

19 (1) in subsection (a)(2)—

20 (A) in subparagraph (B), by striking  
21 “and” after the semicolon;

22 (B) in subparagraph (C), by striking the  
23 period and inserting a semicolon; and

24 (C) by adding at the end the following:

25 “(D) to provide knowledge and under-  
26 standing of early intervention programs; and to

1           make recommendations that will result in early  
 2           awareness by low- and moderate-income stu-  
 3           dents and families—

4                   “(i) of their eligibility for assistance  
 5                   under this title; and

6                   “(ii) to the extent practicable, of their  
 7                   eligibility for other forms of State and in-  
 8                   stitutional need-based student assistance;  
 9                   and

10                  “(E) to make recommendations that will  
 11                  expand and improve partnerships among the  
 12                  Federal Government, States, institutions of  
 13                  higher education, and private entities to in-  
 14                  crease the awareness and the total amount of  
 15                  need-based student assistance available to low-  
 16                  and moderate-income students.”;

17                  (2) in subsection (e), by adding at the end the  
 18                  following:

19                  “(3) The appointment of a member under subpara-  
 20                  graph (A) or (B) of paragraph (1) shall be effective upon  
 21                  confirmation of the member by the Senate and publication  
 22                  of such appointment in the Congressional Record.”;

23                  (3) in subsection (d)(6), by striking “, but  
 24                  nothing” and all that follows through “or analyses”;

25                  (4) in subsection (j)—

1 (A) in paragraph (1)—

2 (i) by inserting “and simplification”  
3 after “modernization” each place the term  
4 appears; and

5 (ii) by striking “including” and all  
6 that follows through “Department,”; and

7 (B) by striking paragraphs (4) and (5) and  
8 inserting the following:

9 “(4) conduct a review and analysis of regula-  
10 tions in accordance with subsection (1); and

11 “(5) conduct a study in accordance with sub-  
12 section (m).”;

13 (5) in subsection (k), by striking “2004” and  
14 inserting “2013”; and

15 (6) by adding at the end the following:

16 “(1) REVIEW AND ANALYSIS OF REGULATIONS.—

17 “(1) RECOMMENDATIONS.—The Advisory Com-  
18 mittee shall make recommendations to the Secretary  
19 and Congress for consideration of future legislative  
20 action regarding redundant or outdated regulations  
21 under this title, consistent with the Secretary’s re-  
22 quirements under section 498B.

23 “(2) REVIEW AND ANALYSIS OF REGULA-  
24 TIONS.—The Advisory Committee shall conduct a re-  
25 view and analysis of the regulations issued under

1       this title that are in effect at the time of the review  
2       and that apply to the operations or activities of par-  
3       ticipants in the programs assisted under this title.  
4       The review and analysis may include a determina-  
5       tion of whether the regulation is duplicative, is no  
6       longer necessary, is inconsistent with other Federal  
7       requirements, or is overly burdensome. In con-  
8       ducting the review, the Advisory Committee shall  
9       pay specific attention to evaluating ways in which  
10      regulations under this title affecting institutions of  
11      higher education (other than institutions described  
12      in section 102(a)(1)(C)), that have received in each  
13      of the 2 most recent award years prior to the date  
14      of enactment of the Higher Education Amendments  
15      of 2007 less than \$200,000 in funds through this  
16      title, may be improved, streamlined, or eliminated.

17           ~~“(3) CONSULTATION.—~~

18           ~~“(A) IN GENERAL.—~~In carrying out the  
19      review and analysis under paragraph (2), the  
20      Advisory Committee shall consult with the Sec-  
21      retary, relevant representatives of institutions  
22      of higher education, and individuals who have  
23      expertise and experience with the regulations  
24      issued under this title, in accordance with sub-  
25      paragraph (B).



1           “(B) REVIEW PANELS.—The Advisory  
2           Committee shall convene not less than 2 review  
3           panels of representatives of the groups involved  
4           in student financial assistance programs under  
5           this title who have experience and expertise in  
6           the regulations issued under this title to review  
7           the regulations under this title, and to provide  
8           recommendations to the Advisory Committee  
9           with respect to the review and analysis under  
10          paragraph (2). The panels shall be made up of  
11          experts in areas such as the operations of the  
12          financial assistance programs, the institutional  
13          eligibility requirements for the financial assist-  
14          ance programs, regulations not directly related  
15          to the operations or the institutional eligibility  
16          requirements of the financial assistance pro-  
17          grams, and regulations for dissemination of in-  
18          formation to students about the financial assist-  
19          ance programs.

20          “(4) REPORTS TO CONGRESS.—The Advisory  
21          Committee shall submit, not later than 2 years after  
22          the completion of the negotiated rulemaking process  
23          required under section 492 resulting from the  
24          amendments to this Act made by the Higher Edu-  
25          cation Amendments of 2007, a report to the author-

1        izing committees and the Secretary detailing the ex-  
 2        pert panels' findings and recommendations with re-  
 3        spect to the review and analysis under paragraph  
 4        (2).

5            “(5) ~~ADDITIONAL SUPPORT.~~—The Secretary  
 6        and the Inspector General of the Department shall  
 7        provide such assistance and resources to the Advi-  
 8        sory Committee as the Secretary and Inspector Gen-  
 9        eral determine are necessary to conduct the review  
 10       required by this subsection.

11       “(m) ~~STUDY OF INNOVATIVE PATHWAYS TO BACCA-~~  
 12       ~~LAUREATE DEGREE ATTAINMENT.~~—

13           “(1) ~~STUDY REQUIRED.~~—The Advisory Com-  
 14        mittee shall conduct a study of the feasibility of in-  
 15        creasing baccalaureate degree attainment rates by  
 16        reducing the costs and financial barriers to attaining  
 17        a baccalaureate degree through innovative programs.

18           “(2) ~~SCOPE OF STUDY.~~—The Advisory Com-  
 19        mittee shall examine new and existing programs that  
 20        promote baccalaureate degree attainment through  
 21        innovative ways, such as dual or concurrent enroll-  
 22        ment programs, changes made to the Federal Pell  
 23        Grant program, simplification of the needs analysis  
 24        process, compressed or modular scheduling, articula-  
 25        tion agreements, and programs that allow 2-year in-

stitutions of higher education to offer baccalaureate degrees.

~~“(3) REQUIRED ASPECTS OF THE STUDY.—In performing the study described in this subsection, the Advisory Committee shall examine the following aspects of such innovative programs:~~

~~“(A) The impact of such programs on baccalaureate attainment rates.~~

~~“(B) The degree to which a student’s total cost of attaining a baccalaureate degree can be reduced by such programs.~~

~~“(C) The ways in which low- and moderate-income students can be specifically targeted by such programs.~~

~~“(D) The ways in which nontraditional students can be specifically targeted by such programs.~~

~~“(E) The cost-effectiveness for the Federal Government, States, and institutions of higher education to implement such programs.~~

~~“(4) CONSULTATION.—~~

~~“(A) IN GENERAL.—In performing the study described in this subsection the Advisory Committee shall consult with a broad range of interested parties in higher education, including~~

1 parents, students, appropriate representatives  
2 of secondary schools and institutions of higher  
3 education, appropriate State administrators, ad-  
4 ministrators of dual or concurrent enrollment  
5 programs, and appropriate Department offi-  
6 cials.

7 “(B) CONGRESSIONAL CONSULTATION.—

8 The Advisory Committee shall consult on a reg-  
9 ular basis with the authorizing committees in  
10 carrying out the study required by this section.

11 “(5) REPORTS TO CONGRESS.—

12 “(A) INTERIM REPORT.—The Advisory  
13 Committee shall prepare and submit to the au-  
14 thorizing committees and the Secretary an in-  
15 terim report, not later than 1 year after the  
16 date of enactment of the Higher Education  
17 Amendments of 2007, describing the progress  
18 that has been made in conducting the study re-  
19 quired by this subsection and any preliminary  
20 findings on the topics identified under para-  
21 graph (2).

22 “(B) FINAL REPORT.—The Advisory Com-  
23 mittee shall, not later than 3 years after the  
24 date of enactment of the Higher Education  
25 Amendments of 2007, prepare and submit to

1 the authorizing committees and the Secretary a  
 2 final report on the study, including rec-  
 3 ommendations for legislative, regulatory, and  
 4 administrative changes based on findings re-  
 5 lated to the topics identified under paragraph  
 6 ~~(2).~~”.

7 **SEC. 485. REGIONAL MEETINGS.**

8 Section 492(a)(1) ~~(20 U.S.C. 1098a(a)(1))~~ is amend-  
 9 ed by inserting “State student grant agencies,” after “in-  
 10 stitutions of higher education,”.

11 **SEC. 486. YEAR 2000 REQUIREMENTS AT THE DEPARTMENT.**

12 ~~(a) REPEAL.—Section 493A (20 U.S.C. 1098c) is re-~~  
 13 ~~pealed.~~

14 ~~(b) REDESIGNATION.—Section 493B (20 U.S.C.~~  
 15 ~~1098d) is redesignated as section 493A.~~

16 **PART G—PROGRAM INTEGRITY**

17 **SEC. 491. RECOGNITION OF ACCREDITING AGENCY OR AS-**  
 18 **SOCIATION.**

19 Section 496 ~~(20 U.S.C. 1099b)~~ is amended—

20 ~~(1) in subsection (a)—~~

21 ~~(A) by striking paragraph (4) and insert-~~  
 22 ~~ing the following:~~

23 ~~“(4)(A) such agency or association consistently~~  
 24 ~~applies and enforces standards that respect the stat-~~  
 25 ~~ed mission of the institution of higher education, in-~~

1 including religious missions, and that ensure that the  
2 courses or programs of instruction, training, or  
3 study offered by the institution of higher education,  
4 including distance education courses or programs,  
5 are of sufficient quality to achieve, for the duration  
6 of the accreditation period, the stated objective for  
7 which the courses or the programs are offered; and

8 “(B) if such agency or association has or seeks  
9 to include within its scope of recognition the evalua-  
10 tion of the quality of institutions or programs offer-  
11 ing distance education, such agency or association  
12 shall, in addition to meeting the other requirements  
13 of this subpart, demonstrate to the Secretary that—

14 “(i) the agency or association’s standards  
15 effectively address the quality of an institution’s  
16 distance education in the areas identified in sec-  
17 tion 496(a)(5), except that the agency or asso-  
18 ciation shall not be required to have separate  
19 standards, procedures or policies for the evalua-  
20 tion of distance education institutions or pro-  
21 grams in order to meet the requirements of this  
22 subparagraph; and

23 “(ii) the agency or association requires an  
24 institution that offers distance education to  
25 have processes through which the institution es-

1 tablishes that the student who registers in a  
 2 distance education course or program is the  
 3 same student who participates in and completes  
 4 the program and receives the academic credit,”;

5 (B) in paragraph (5), by striking subpara-  
 6 graph (A) and inserting the following:

7 “(A) success with respect to student  
 8 achievement in relation to the institution’s mis-  
 9 sion, which may include different standards for  
 10 different institutions or programs, through the  
 11 determination of expected levels of student out-  
 12 comes that are established by the institution,  
 13 and which use empirical evidence, and as appro-  
 14 priate, external indicators, with respect to cri-  
 15 teria regarding—

16 “(i) student retention rates;

17 “(ii) course completion rates;

18 “(iii) program completion and gradua-  
 19 tion rates;

20 “(iv) for prebaccalaureate career and  
 21 technical education programs, degree pro-  
 22 grams leading to initial professional licen-  
 23 sure or certification, and other programs  
 24 as appropriate—

1                   ~~“(I) results on State licensing ex-~~  
 2                   ~~aminations; and~~

3                   ~~“(II) job placement rates;~~

4                   ~~“(v) as appropriate, enrollment in~~  
 5                   ~~graduate or professional programs; and~~

6                   ~~“(vi) as appropriate, other student~~  
 7                   ~~performance information selected by the~~  
 8                   ~~institution; particularly information—~~

9                   ~~“(I) used by the institution to~~  
 10                  ~~evaluate or strengthen the institu-~~  
 11                  ~~tion’s programs; and~~

12                  ~~“(II) that reflects the institu-~~  
 13                  ~~tion’s individual mission and the insti-~~  
 14                  ~~tution’s distinctive goals for stu-~~  
 15                  ~~dents;”;~~

16                  ~~(C) by striking paragraph (6) and insert-~~  
 17                  ~~ing the following:~~

18                  ~~“(6) such an agency or association shall estab-~~  
 19                  ~~lish and apply review procedures throughout the ac-~~  
 20                  ~~crediting process, including evaluation and with-~~  
 21                  ~~drawal proceedings which comply with due process~~  
 22                  ~~procedures that provide for—~~

23                  ~~“(A) adequate specification of require-~~  
 24                  ~~ments and deficiencies at the institution of~~  
 25                  ~~higher education or program examined;~~



1           “(B) an opportunity for a written response  
2           by any such institution to be included, prior to  
3           final action, in the evaluation and withdrawal  
4           proceedings;

5           “(C) upon the written request of an insti-  
6           tution, an opportunity for the institution to ap-  
7           peal any adverse action, including denial, with-  
8           drawal, suspension, or termination of accredita-  
9           tion, or placement on probation of an institu-  
10          tion, at a hearing prior to such action becoming  
11          final, before an appeals panel that—

12           “(i) shall not include current members  
13           of the agency or association’s underlying  
14           decision-making body that made the ad-  
15           verse decision; and

16           “(ii) is subject to a conflict of interest  
17           policy; and

18           “(D) the right to representation by counsel  
19           for such an institution during an appeal of the  
20           adverse action;” and

21           (D) by striking paragraph (8) and insert-  
22           ing the following:

23           “(8) such agency or association shall make  
24           available to the public and the State licensing or au-  
25           thorizing agency, and submit to the Secretary, a

1 summary of agency or association actions, includ-  
2 ing—

3 “(A) the award of accreditation or re-  
4 accreditation of an institution;

5 “(B) final denial, withdrawal, suspension,  
6 or termination of accreditation, or placement on  
7 probation of an institution, and any findings  
8 made in connection with the action taken, to-  
9 gether with the official comments of the af-  
10 fected institution; and

11 “(C) any other adverse action taken with  
12 respect to an institution.”;

13 (2) in subsection (c)—

14 (A) in paragraph (1), by inserting “, in-  
15 cluding those regarding distance education”  
16 after “their responsibilities”;

17 (B) by redesignating paragraphs (2)  
18 through (6) as paragraphs (5) through (9);

19 (C) by inserting after paragraph (1) (as  
20 amended by subparagraph (A)) the following:

21 “(2) ensures that the agency or association’s  
22 on-site evaluation for accreditation or reaccreditation  
23 includes review of the Federally required information  
24 the institution or program provides its current and  
25 prospective students;

1           ~~“(3) monitors the growth of programs at insti-~~  
 2           ~~tutions that are experiencing significant enrollment~~  
 3           ~~growth;~~

4           ~~“(4) requires an institution to submit a teach-~~  
 5           ~~out plan for approval to the accrediting agency upon~~  
 6           ~~the occurrence of any of the following events:~~

7                   ~~“(A) The Department notifies the accred-~~  
 8                   ~~iting agency of an action against the institution~~  
 9                   ~~pursuant to section 487(d).~~

10                   ~~“(B) The accrediting agency acts to with-~~  
 11                   ~~draw, terminate, or suspend the accreditation of~~  
 12                   ~~an institution.~~

13                   ~~“(C) The institution notifies the accred-~~  
 14                   ~~iting agency that the institution intends to~~  
 15                   ~~cease operations.”;~~

16                   ~~(D) in paragraph (8) (as redesignated by~~  
 17                   ~~subparagraph (B)), by striking “and” after the~~  
 18                   ~~semicolon;~~

19                   ~~(E) in subparagraph (9) (as redesignated~~  
 20                   ~~by subparagraph (B)), by striking the period~~  
 21                   ~~and inserting “; and”; and~~

22                   ~~(F) by adding at the end the following:~~

23                   ~~“(10) confirms, as a part of the agency or asso-~~  
 24                   ~~ciation’s review for accreditation or reaccreditation,~~  
 25                   ~~that the institution has transfer of credit policies—~~

1           “(A) that are publicly disclosed; and

2           “(B) that do not deny transfer of credit  
3           based solely on the accreditation of the sending  
4           institution; if the agency or association accred-  
5           iting the sending institution is recognized by  
6           the Secretary pursuant to this section.”; and

7           (3) in subsection (g), by adding at the end the  
8           following: “Nothing in this section shall be construed  
9           to permit the Secretary to establish any criteria that  
10          specifies, defines, or prescribes the standards that  
11          accrediting agencies or associations shall use to as-  
12          sess any institution’s success with respect to student  
13          achievement; beyond the standards and criteria es-  
14          tablished under subsection (a)(5).”.

15 **SEC. 492. ADMINISTRATIVE CAPACITY STANDARD.**

16          Section 498 (20 U.S.C. 1099e) is amended—

17           (1) in subsection (d)(1)(B), by inserting “and”  
18          after the semicolon; and

19           (2) by adding at the end the following:

20          “(k) TREATMENT OF TEACH-OUTS AT ADDITIONAL  
21          LOCATIONS.—

22           “(1) IN GENERAL.—A location of a closed insti-  
23          tution of higher education shall be eligible as an ad-  
24          ditional location of an eligible institution of higher  
25          education, as defined pursuant to regulations of the

Secretary, for the purposes of a teach-out, if such teach-out has been approved by the institution's accrediting agency.

“(2) SPECIAL RULE.—An institution of higher education that conducts a teach-out through the establishment of an additional location described in paragraph (1) shall be permitted to establish a permanent additional location at a closed institution and shall not be required—

“(A) to meet the requirements of sections 102(b)(1)(E) and 102(e)(1)(C) for such additional location; or

“(B) to assume the liabilities of the closed institution.”.

**SEC. 493. PROGRAM REVIEW AND DATA.**

Section 498A(b) (20 U.S.C. 1099c-1(b)) is amended—

(1) in paragraph (4), by striking “and” after the semicolon;

(2) in paragraph (5) by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

“(6) provide to an institution of higher education an adequate opportunity to review and respond to any program review report and relevant

1 materials related to the report before any final pro-  
 2 gram review report is issued;

3 ~~“(7) review and take into consideration an in-~~  
 4 ~~stitution of higher education’s response in any final~~  
 5 ~~program review report or audit determination, and~~  
 6 ~~include in the report or determination—~~

7 ~~“(A) a written statement addressing the~~  
 8 ~~institution of higher education’s response;~~

9 ~~“(B) a written statement of the basis for~~  
 10 ~~such report or determination; and~~

11 ~~“(C) a copy of the institution’s response;~~  
 12 ~~and~~

13 ~~“(8) maintain and preserve at all times the con-~~  
 14 ~~fidentiality of any program review report until the~~  
 15 ~~requirements of paragraphs (6) and (7) are met, and~~  
 16 ~~until a final program review is issued, other than to~~  
 17 ~~the extent required to comply with paragraph (5),~~  
 18 ~~except that the Secretary shall promptly disclose any~~  
 19 ~~and all program review reports to the institution of~~  
 20 ~~higher education under review.”.~~

21 **SEC. 494. TIMELY INFORMATION ABOUT LOANS.**

22 (a) IN GENERAL.—Title IV (20 U.S.C. 1070 et seq.)  
 23 is further amended by adding at the end the following:

1   **“SEC. 499. ACCESS TO TIMELY INFORMATION ABOUT**  
2                   **LOANS.**

3       “(a) **REGULAR BILL PROVIDING PERTINENT INFOR-**  
4 **MATION ABOUT A LOAN.**—A lender of a loan made, in-  
5 sured, or guaranteed under this title shall provide the bor-  
6 rower of such loan a bill each month or, in the case of  
7 a loan payable less frequently than monthly, a bill that  
8 corresponds to each payment installment time period, in-  
9 cluding a clear and conspicuous notice of—

10           “(1) the borrower’s principal borrowed;

11           “(2) the borrower’s current balance;

12           “(3) the interest rate on such loan;

13           “(4) the amount the borrower has paid in inter-  
14 est;

15           “(5) the amount of additional interest payments  
16 the borrower is expected to pay over the life of the  
17 loan;

18           “(6) the total amount the borrower has paid for  
19 the loan, including the amount the borrower has  
20 paid in interest, the amount the borrower has paid  
21 in fees, and the amount the borrower has paid  
22 against the balance, in a brief, borrower-friendly  
23 manner;

24           “(7) a description of each fee the borrower has  
25 been charged for the current payment period;

1           ~~“(8) the date by which the borrower needs to~~  
2           ~~make a payment in order to avoid additional fees;~~

3           ~~“(9) the amount of such payment that will be~~  
4           ~~applied to the interest, the balance, and any fees on~~  
5           ~~the loan; and~~

6           ~~“(10) the lender’s address and toll-free phone~~  
7           ~~number for payment and billing error purposes.~~

8           ~~“(b) INFORMATION PROVIDED BEFORE COMMENCE-~~  
9           ~~MENT OF REPAYMENT.—A lender of a loan made, insured,~~  
10          ~~or guaranteed under this title shall provide to the borrower~~  
11          ~~of such loan, at least one month before the loan enters~~  
12          ~~repayment, a clear and conspicuous notice of not less than~~  
13          ~~the following information:~~

14           ~~“(1) The borrower’s options, including repay-~~  
15           ~~ment plans, deferments, forbearances, and discharge~~  
16           ~~options to which the borrower may be entitled.~~

17           ~~“(2) The conditions under which a borrower~~  
18           ~~may be charged any fee, and the amount of such fee.~~

19           ~~“(3) The conditions under which a loan may de-~~  
20           ~~fault, and the consequences of default.~~

21           ~~“(4) Resources, including nonprofit organiza-~~  
22           ~~tions, advocates, and counselors (including the Office~~  
23           ~~of the Ombudsman at the Department), where bor-~~  
24           ~~rowers can receive advice and assistance, if such re-~~  
25           ~~sources exist.~~



1       “(c) INFORMATION PROVIDED DURING DELIN-  
 2 QUENCY.—In addition to any other information required  
 3 under law, a lender of a loan made, insured, or guaranteed  
 4 under this title shall provide a borrower in delinquency  
 5 with a clear and conspicuous notice of the date on which  
 6 the loan will default if no payment is made, the minimum  
 7 payment that must be made to avoid default, discharge  
 8 options to which the borrower may be entitled, resources,  
 9 including nonprofit organizations, advocates, and coun-  
 10 selors (including the Office of the Ombudsman at the De-  
 11 partment), where borrowers can receive advice and assist-  
 12 ance, if such resources exist.

13       “(d) INFORMATION PROVIDED DURING DEFAULT.—  
 14 A lender of a loan made, insured, or guaranteed under  
 15 this title shall provide a borrower in default, on not less  
 16 than 2 separate occasions, with a clear and conspicuous  
 17 notice of not less than the following information:

18               “(1) The options available to the borrower to be  
 19 removed from default.

20               “(2) The relevant fees and conditions associated  
 21 with each option.”.

22 **SEC. 495. AUCTION EVALUATION AND REPORT.**

23       (a) EVALUATION.—If Congress enacts an Act that  
 24 authorizes the Secretary of Education to carry out a pilot  
 25 program under which the Secretary establishes a mecha-

1 nism for an auction of Federal PLUS Loans, then the  
2 Comptroller General shall evaluate such pilot program.  
3 The evaluation shall determine—

4           (1) the extent of the savings to the Federal  
5 Government that are generated through the pilot  
6 program, compared to the cost the Federal Govern-  
7 ment would have incurred in operating the parent  
8 loan program under section 428B of the Higher  
9 Education Act of 1965 in the absence of the pilot  
10 program;

11           (2) the number of lenders that participated in  
12 the pilot program, and the extent to which the pilot  
13 program generated competition among lenders to  
14 participate in the auctions under the pilot program;

15           (3) the effect of the transition to and operation  
16 of the pilot program on the ability of—

17               (A) lenders participating in the pilot pro-  
18 gram to originate loans made through the pilot  
19 program smoothly and efficiently;

20               (B) institutions of higher education partici-  
21 pating in the pilot program to disburse loans  
22 made through the pilot program smoothly and  
23 efficiently; and

1           (C) the ability of parents to obtain loans  
 2           made through the pilot program in a timely and  
 3           efficient manner;

4           (4) the differential impact, if any, of the auc-  
 5           tion among the States, including between rural and  
 6           non-rural States; and

7           (5) the feasibility of using the mechanism pi-  
 8           loted to operate other loan programs under part B  
 9           of the title IV of the Higher Education Act of 1965.

10       (b) REPORTS.—The Comptroller General shall—

11           (1) not later than September 1, 2010, submit  
 12           to the authorizing committees (as defined in section  
 13           103 of the Higher Education Act of 1965 (20  
 14           U.S.C. 1003)) a preliminary report regarding the  
 15           findings of the evaluation described in subsection  
 16           (a);

17           (2) not later than September 1, 2012, submit  
 18           to the authorizing committees an interim report re-  
 19           garding such findings; and

20           (3) not later than September 1, 2014, submit  
 21           to the authorizing committees a final report regard-  
 22           ing such findings.

# TITLE V—DEVELOPING INSTITUTIONS

## 3 **SEC. 501. AUTHORIZED ACTIVITIES.**

4 Section 503(b) (20 U.S.C. 1101b(b)) is amended—

5 (1) by redesignating paragraphs (6) through  
6 (14) as paragraphs (8) through (16), respectively;

7 (2) in paragraph (5), by inserting “, including  
8 innovative, customized remedial education and  
9 English language instruction courses designed to  
10 help retain students and move the students rapidly  
11 into core courses and through program completion”  
12 before the period at the end;

13 (3) by inserting after paragraph (5) the fol-  
14 lowing:

15 “(6) Education or counseling services designed  
16 to improve the financial literacy and economic lit-  
17 eracy of students or the students’ parents.

18 “(7) Articulation agreements and student sup-  
19 port programs designed to facilitate the transfer  
20 from 2-year to 4-year institutions.”; and

21 (4) in paragraph (12) (as redesignated by para-  
22 graph (1)), by striking “distance learning academic  
23 instruction capabilities” and inserting “distance edu-  
24 cation technologies”.

1 **SEC. 502. POSTBACCALAUREATE OPPORTUNITIES FOR HIS-**  
 2 **PANIC AMERICANS.**

3 (a) ESTABLISHMENT OF PROGRAM.—Title V (20  
 4 U.S.C. 1101 et seq.) is amended—

5 (1) by redesignating part B as part C;

6 (2) by redesignating sections 511 through 518  
 7 as sections 521 through 528, respectively; and

8 (3) by inserting after section 505 the following:

9 **“PART B—PROMOTING POSTBACCALAUREATE**  
 10 **OPPORTUNITIES FOR HISPANIC AMERICANS**

11 **“SEC. 511. PROGRAM AUTHORITY AND ELIGIBILITY.**

12 “(a) PROGRAM AUTHORIZED.—Subject to the avail-  
 13 ability of funds appropriated to carry out this part, the  
 14 Secretary shall award grants, on a competitive basis, to  
 15 eligible institutions to enable the eligible institutions to  
 16 carry out the authorized activities described in section  
 17 512.

18 “(b) ELIGIBILITY.—For the purposes of this part, an  
 19 ‘eligible institution’ means an institution of higher edu-  
 20 cation that—

21 “(1) is a Hispanic-serving institution (as de-  
 22 fined in section 502); and

23 “(2) offers a postbaccalaureate certificate or de-  
 24 gree granting program.

1 **~~“SEC. 512. AUTHORIZED ACTIVITIES.~~**

2 ~~“Grants awarded under this part shall be used for~~  
3 ~~1 or more of the following activities:~~

4 ~~“(1) Purchase, rental, or lease of scientific or~~  
5 ~~laboratory equipment for educational purposes, in-~~  
6 ~~cluding instructional and research purposes.~~

7 ~~“(2) Construction, maintenance, renovation,~~  
8 ~~and improvement in classroom, library, laboratory,~~  
9 ~~and other instructional facilities, including purchase~~  
10 ~~or rental of telecommunications technology equip-~~  
11 ~~ment or services.~~

12 ~~“(3) Purchase of library books, periodicals,~~  
13 ~~technical and other scientific journals, microfilm,~~  
14 ~~microfiche, and other educational materials, includ-~~  
15 ~~ing telecommunications program materials.~~

16 ~~“(4) Support for needy postbaccalaureate stu-~~  
17 ~~dents, including outreach, academic support services,~~  
18 ~~mentoring, scholarships, fellowships, and other fi-~~  
19 ~~nancial assistance, to permit the enrollment of such~~  
20 ~~students in postbaccalaureate certificate and degree~~  
21 ~~granting programs.~~

22 ~~“(5) Support of faculty exchanges, faculty de-~~  
23 ~~velopment, faculty research, curriculum development,~~  
24 ~~and academic instruction.~~

25 ~~“(6) Creating or improving facilities for Inter-~~  
26 ~~net or other distance education technologies, includ-~~

1       ing purchase or rental of telecommunications tech-  
2       nology equipment or services.

3           ~~“(7) Collaboration with other institutions of~~  
4       higher education to expand postbaccalaureate certifi-  
5       cate and degree offerings.

6           ~~“(8) Other activities proposed in the application~~  
7       submitted pursuant to section 513 that are approved  
8       by the Secretary as part of the review and accept-  
9       ance of such application.

10   **~~“SEC. 513. APPLICATION AND DURATION.~~**

11       ~~“(a) APPLICATION.—Any eligible institution may~~  
12       apply for a grant under this part by submitting an applica-  
13       tion to the Secretary at such time and in such manner  
14       as the Secretary may require. Such application shall dem-  
15       onstrate how the grant funds will be used to improve  
16       postbaccalaureate education opportunities for Hispanic  
17       and low-income students and will lead to such students’  
18       greater financial independence.

19       ~~“(b) DURATION.—Grants under this part shall be~~  
20       awarded for a period not to exceed 5 years.

21       ~~“(c) LIMITATION.—The Secretary may not award~~  
22       more than 1 grant under this part in any fiscal year to  
23       any Hispanic-serving institution.”.

1 **SEC. 503. APPLICATIONS.**

2 Section 521(b)(1)(A) (as redesignated by section  
3 502(a)(2)) (20 U.S.C. 1103(b)(1)(A)) is amended by  
4 striking “subsection (b)” and inserting “subsection (c)”.

5 **SEC. 504. COOPERATIVE ARRANGEMENTS.**

6 Section 524(a) (as redesignated by section 502(a)(2))  
7 (20 U.S.C. 1103e(a)) is amended by striking “section  
8 503” and inserting “sections 503 and 512”.

9 **SEC. 505. AUTHORIZATION OF APPROPRIATIONS.**

10 Section 528(a) (as redesignated by section 502(a)(2))  
11 (20 U.S.C. 1103g(a)) is amended—

12 (1) by inserting “part A of” after “carry out”;

13 (2) by striking “\$62,500,000 for fiscal year  
14 1999” and all that follows through the period and  
15 inserting “such sums as may be necessary for fiscal  
16 year 2008 and each of the 5 succeeding fiscal  
17 years.”;

18 (3) by striking “(a) AUTHORIZATIONS.—” and  
19 inserting the following:

20 “(a) AUTHORIZATIONS.—

21 “(1) PART A.—There are”; and

22 (4) by adding at the end the following:

23 “(2) PART B.—There are authorized to be ap-  
24 propriated to carry out part B of this title such  
25 sums as may be necessary for fiscal year 2008 and  
26 each of the 5 succeeding fiscal years.”.



# **TITLE VI—INTERNATIONAL EDUCATION PROGRAMS**

## **SEC. 601. FINDINGS.**

Section 601 (20 U.S.C. 1121) is amended—

(1) in the section heading, by striking “**AND PURPOSES**” and inserting “**; PURPOSES; CONSULTATION; SURVEY**”;

(2) in subsection (a)(3), by striking “post-Cold War”;

(3) in subsection (b)(1)(D), by inserting “, including through linkages with overseas institutions” before the semicolon; and

(4) by adding at the end the following:

“(c) **CONSULTATION.**—The Secretary shall, prior to requesting applications for funding under this title during each grant cycle, consult with and receive recommendations regarding national need for expertise in foreign languages and world regions from the head officials of a wide range of Federal agencies. Such agencies shall provide information to the Secretary regarding how the agencies utilize expertise and resources provided by grantees under this title. The Secretary shall take into account such recommendations and information when requesting applications for funding under this title, and shall make available

1 to applicants a list of areas identified as areas of national  
2 need.

3 “(d) SURVEY.—The Secretary shall assist grantees in  
4 developing a survey to administer to students who have  
5 participated in programs under this title to determine  
6 postgraduation placement. All grantees, where applicable,  
7 shall administer such survey not less often than annually  
8 and report such data to the Secretary.”.

9 **SEC. 602. GRADUATE AND UNDERGRADUATE LANGUAGE**  
10 **AND AREA CENTERS AND PROGRAMS.**

11 Section 602 (20 U.S.C. 1122) is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (2)—

14 (i) in subparagraph (G), by striking  
15 “and” after the semicolon;

16 (ii) in subparagraph (H), by striking  
17 the period and inserting “; and”; and

18 (iii) by adding at the end the fol-  
19 lowing:

20 “(I) support for instructors of the less  
21 commonly taught languages.”; and

22 (B) in paragraph (4)—

23 (i) by redesignating subparagraphs  
24 (C) through (E) as subparagraphs (D)  
25 through (F), respectively;

1                   (ii) by inserting after subparagraph  
2                   (B) the following:

3                   “(C) Programs of linkage or outreach be-  
4                   tween or among—

5                   “(i) foreign language, area studies, or  
6                   other international fields; and

7                   “(ii) State educational agencies or  
8                   local educational agencies.”;

9                   (iii) in subparagraph (D) (as redesign-  
10                  nated by clause (i)) by inserting “, includ-  
11                  ing Federal or State scholarship programs  
12                  for students in related areas” before the  
13                  period at the end; and

14                  (iv) in subparagraph (F) (as redesign-  
15                  nated by clause (i)), by striking “and (D)”  
16                  and inserting “(D), and (E)”;

17                  (2) in subsection (b)—

18                  (A) in the subsection heading, by striking  
19                  “GRADUATE”; and

20                  (B) by striking paragraph (2) and insert-  
21                  ing the following:

22                  “(2) ELIGIBLE STUDENTS.—A student receiv-  
23                  ing a stipend described in paragraph (1) shall be en-  
24                  gaged—

1           “(A) in an instructional program with stat-  
 2           ed performance goals for functional foreign lan-  
 3           guage use or in a program developing such per-  
 4           formance goals, in combination with area stud-  
 5           ies, international studies, or the international  
 6           aspects of a professional studies program; and

7           “(B)(i) in the case of an undergraduate  
 8           student, in the intermediate or advanced study  
 9           of a less commonly taught language; or

10           “(ii) in the case of a graduate student, in  
 11           graduate study in connection with a program  
 12           described in subparagraph (A), including—

13                   “(I) predissertation level study;

14                   “(II) preparation for dissertation re-  
 15                   search;

16                   “(III) dissertation research abroad; or

17                   “(IV) dissertation writing.”;

18           (3) by striking subsection (d) and inserting the  
 19           following:

20           “(d) ALLOWANCES.—

21                   “(1) GRADUATE LEVEL RECIPIENTS.—A sti-  
 22                   pend awarded to a graduate level recipient may in-  
 23                   clude allowances for dependents and for travel for  
 24                   research and study in the United States and abroad.

1           “(2) UNDERGRADUATE LEVEL RECIPIENTS.—A  
 2           stipend awarded to an undergraduate level recipient  
 3           may include an allowance for educational programs  
 4           in the United States or educational programs abroad  
 5           that—

6                   “(A) are closely linked to the overall goals  
 7                   of the recipient’s course of study; and

8                   “(B) have the purpose of promoting for-  
 9                   eign language fluency and knowledge of foreign  
 10                  cultures.”; and

11           (4) by adding at the end the following:

12           “(e) APPLICATION.—Each institution or combination  
 13 of institutions desiring a grant under this section shall  
 14 submit an application to the Secretary at such time, in  
 15 such manner, and accompanied by such information and  
 16 assurances as the Secretary may require. Each application  
 17 shall include an explanation of how the activities funded  
 18 by the grant will reflect diverse perspectives and a wide  
 19 range of views and generate debate on world regions and  
 20 international affairs. Each application shall also describe  
 21 how the applicant will address disputes regarding whether  
 22 activities funded under the application reflect diverse per-  
 23 spectives and a wide range of views. Each application shall  
 24 also include a description of how the applicant will encour-  
 25 age government service in areas of national need, as iden-

1 tified by the Secretary, as well as in needs in the edu-  
 2 cation, business, and nonprofit sectors.”.

3 **SEC. 603. UNDERGRADUATE INTERNATIONAL STUDIES AND**  
 4 **FOREIGN LANGUAGE PROGRAMS.**

5 Section 604 (20 U.S.C. 1124) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (2)—

8 (i) by redesignating subparagraphs (I)  
 9 through (M) as subparagraphs (J) through  
 10 (N), respectively; and

11 (ii) by inserting after subparagraph  
 12 (H) the following:

13 “(I) providing subgrants to undergraduate  
 14 students for educational programs abroad  
 15 that—

16 “(i) are closely linked to the overall  
 17 goals of the program for which the grant  
 18 is awarded; and

19 “(ii) have the purpose of promoting  
 20 foreign language fluency and knowledge of  
 21 foreign cultures;” and

22 (B) in paragraph (7)—

23 (i) in subparagraph (C), by striking  
 24 “and” after the semicolon;

1                   (ii) in subparagraph (D), by striking  
2                   the period at the end and inserting a semi-  
3                   colon; and

4                   (iii) by adding at the end the fol-  
5                   lowing:

6                   “(E) a description of how the applicant  
7                   will provide information to students regarding  
8                   federally funded scholarship programs in re-  
9                   lated areas;

10                  “(F) an explanation of how the activities  
11                  funded by the grant will reflect diverse perspec-  
12                  tives and a wide range of views and generate  
13                  debate on world regions and international af-  
14                  fairs, where applicable;

15                  “(G) a description of how the applicant  
16                  will address disputes regarding whether the ac-  
17                  tivities funded under the application reflect di-  
18                  verse perspectives and a wide range of views;  
19                  and

20                  “(H) a description of how the applicant  
21                  will encourage service in areas of national need  
22                  as identified by the Secretary.”; and

23                  (2) in subsection (c)—

1                   (A) by striking “FUNDING SUPPORT.—The  
2                   Secretary” and inserting “FUNDING SUP-  
3                   PORT.—

4                   “(1) THE SECRETARY.—The Secretary”;

5                   (B) by striking “10” and inserting “20”;  
6                   and

7                   (C) by adding at the end the following:

8                   “(2) GRANTEES.—Of the total amount of grant  
9                   funds awarded to a grantee under this section, the  
10                  grantee may use not more than 10 percent of such  
11                  funds for the activity described in subsection  
12                  (a)(2)(I).”.

13 **SEC. 604. RESEARCH; STUDIES.**

14                  Section 605(a) (20 U.S.C. 1125(a)) is amended—

15                  (1) in paragraph (8), by striking “and” after  
16                  the semicolon;

17                  (2) in paragraph (9), by striking the period and  
18                  inserting a semicolon; and

19                  (3) by adding at the end the following:

20                  “(10) evaluation of the extent to which pro-  
21                  grams assisted under this title reflect diverse per-  
22                  spectives and a wide range of views and generate de-  
23                  bate on world regions and international affairs;



1 “(11) the systematic collection, analysis, and  
 2 dissemination of data that contribute to achieving  
 3 the purposes of this part; and

4 “(12) support for programs or activities to  
 5 make data collected, analyzed, or disseminated under  
 6 this section publicly available and easy to under-  
 7 stand.”.

8 **SEC. 605. TECHNOLOGICAL INNOVATION AND COOPERA-**  
 9 **TION FOR FOREIGN INFORMATION ACCESS.**

10 Section 606 (20 U.S.C. 1126) is amended—

11 (1) in subsection (a)—

12 (A) by striking “new electronic tech-  
 13 nologies” and inserting “electronic tech-  
 14 nologies”;

15 (B) by inserting “from foreign sources”  
 16 after “disseminate information”;

17 (C) in the subsection heading, by striking  
 18 “AUTHORITY.—The Secretary” and inserting  
 19 “AUTHORITY.—

20 “(1) IN GENERAL.—The Secretary”; and

21 (D) by adding at the end the following:

22 “(2) PARTNERSHIPS WITH NOT-FOR-PROFIT  
 23 EDUCATIONAL ORGANIZATIONS.—The Secretary may  
 24 award grants under this section to carry out the ac-

1       activities authorized under this section to the fol-  
2       lowing:

3               “(A) An institution of higher education.

4               “(B) A public or nonprofit private library.

5               “(C) A consortium of an institution of  
6       higher education and 1 or more of the fol-  
7       lowing:

8                   “(i) Another institution of higher edu-  
9       cation.

10               “(ii) A library.

11               “(iii) A not-for-profit educational or-  
12       ganization.”;

13       (2) in subsection (b)—

14               (A) in paragraph (1), by striking “to facili-  
15       tate access to” and inserting “to acquire, facili-  
16       tate access to,”;

17               (B) in paragraph (2), by inserting “or  
18       standards for” after “means of”;

19               (C) in paragraph (6), by striking “and”  
20       after the semicolon;

21               (D) in paragraph (7), by striking the pe-  
22       riod and inserting a semicolon; and

23               (E) by adding at the end the following:

1           “(8) to establish linkages to facilitate carrying  
2           out the activities described in this subsection be-  
3           tween—

4           “(A) the institutions of higher education;  
5           libraries, and consortia receiving grants under  
6           this section; and

7           “(B) institutions of higher education, not-  
8           for-profit educational organizations, and librar-  
9           ies overseas; and

10          “(9) to carry out other activities that the Sec-  
11          retary determines are consistent with the purpose of  
12          the grants or contracts awarded under this section.”;  
13          and

14          (3) in subsection (c), by striking “institution or  
15          consortium” and inserting “institution of higher  
16          education, library, or consortium”.

17      **SEC. 606. SELECTION OF CERTAIN GRANT RECIPIENTS.**

18          Section 607 (20 U.S.C. 1127) is amended—

19          (1) in subsection (a), by striking “evaluates the  
20          applications for comprehensive and undergraduate  
21          language and area centers and programs.” and in-  
22          serting “evaluates—

23          “(1) the applications for comprehensive foreign  
24          language and area or international studies centers  
25          and programs; and

1           “(2) the applications for undergraduate foreign  
2           language and area or international studies centers  
3           and programs.”; and

4           (2) in subsection (b), by adding at the end the  
5           following: “The Secretary shall also consider an ap-  
6           plicant’s record of placing students into service in  
7           areas of national need and an applicant’s stated ef-  
8           forts to increase the number of such students that  
9           go into such service.”.

10 **SEC. 607. AMERICAN OVERSEAS RESEARCH CENTERS.**

11           Section 609 (20 U.S.C. 1128a) is amended by adding  
12           at the end the following:

13           “(e) APPLICATION.—Each center desiring a grant  
14           under this section shall submit an application to the Sec-  
15           retary at such time, in such manner, and accompanied by  
16           such information and assurances as the Secretary may re-  
17           quire.”.

18 **SEC. 608. AUTHORIZATION OF APPROPRIATIONS FOR**  
19 **INTERNATIONAL AND FOREIGN LANGUAGE**  
20 **STUDIES.**

21           Section 610 (20 U.S.C. 1128b) is amended by strik-  
22           ing “\$80,000,000 for fiscal year 1999” and all that fol-  
23           lows through the period and inserting “such sums as may  
24           be necessary for fiscal year 2008 and each of the 5 suc-  
25           ceeding fiscal years.”.

1 **SEC. 609. CENTERS FOR INTERNATIONAL BUSINESS EDU-**  
 2 **CATION.**

3 Section 612(f)(3) (20 U.S.C. 1130-1(f)(3)) is  
 4 amended by inserting “, and that diverse perspectives will  
 5 be made available to students in programs under this sec-  
 6 tion” before the semicolon.

7 **SEC. 610. EDUCATION AND TRAINING PROGRAMS.**

8 Section 613(e) (20 U.S.C. 1130a(e)) is amended by  
 9 adding at the end the following: “Each such application  
 10 shall include an assurance that, where applicable, the ac-  
 11 tivities funded by the grant will reflect diverse perspectives  
 12 and a wide range of views on world regions and inter-  
 13 national affairs.”.

14 **SEC. 611. AUTHORIZATION OF APPROPRIATIONS FOR BUSI-**  
 15 **NESS AND INTERNATIONAL EDUCATION PRO-**  
 16 **GRAMS.**

17 Section 614 (20 U.S.C. 1130b) is amended—

18 (1) in subsection (a), by striking “\$11,000,000  
 19 for fiscal year 1999” and all that follows through  
 20 “fiscal years” and inserting “such sums as may be  
 21 necessary for fiscal year 2008 and each of the 5 suc-  
 22 ceeding fiscal years”; and

23 (2) in subsection (b), by striking “\$7,000,000  
 24 for fiscal year 1999” and all that follows through  
 25 “fiscal years,” and inserting “such sums as may be

1 necessary for fiscal year 2008 and each of the 5 suc-  
 2 ceeding fiscal years”.

3 **SEC. 612. MINORITY FOREIGN SERVICE PROFESSIONAL DE-**  
 4 **VELOPMENT PROGRAM.**

5 Section 621 (20 U.S.C. 1131) is amended—

6 (1) in subsection (e), by adding at the end the  
 7 following: “Each application shall include a descrip-  
 8 tion of how the activities funded by the grant will re-  
 9 flect diverse perspectives and a wide range of views  
 10 on world regions and international affairs, where ap-  
 11 plicable.”; and

12 (2) in subsection (e)—

13 (A) by striking “MATCH REQUIRED.—The  
 14 eligible” and inserting “MATCHING FUNDS.—

15 “(1) IN GENERAL.—Subject to paragraph (2),  
 16 the eligible”; and

17 (B) by adding at the end the following:

18 “(2) WAIVER.—The Secretary may waive the  
 19 requirement of paragraph (1) for an eligible recipi-  
 20 ent if the Secretary determines such waiver is appro-  
 21 priate.”.

22 **SEC. 613. INSTITUTIONAL DEVELOPMENT.**

23 Section 622 (20 U.S.C. 1131–1) is amended—

24 (1) in subsection (a)—

(A) by striking “Tribally Controlled Colleges or Universities” and inserting “tribally controlled colleges or universities”; and

(B) by striking “international affairs programs.” and inserting “international affairs, international business, and foreign language study programs, including the teaching of foreign languages, at such colleges, universities, and institutions, respectively, which may include collaboration with institutions of higher education that receive funding under this title.”; and

(2) in subsection (c)—

(A) by striking paragraphs (1) and (3);

(B) by redesignating paragraphs (2) and (4) as paragraphs (1) and (2), respectively; and

(C) in paragraph (1) (as redesignated by subparagraph (B)), by inserting “and” after the semicolon.

**SEC. 614. STUDY ABROAD PROGRAM.**

Section 623(a) (20 U.S.C. 1131a(a)) is amended—

(1) by striking “as defined in section 322 of this Act”; and

(2) by striking “tribally controlled Indian community colleges as defined in the Tribally Controlled

1 Community College Assistance Act of 1978” and in-  
 2 serting “tribally controlled colleges or universities”.

3 **SEC. 615. ADVANCED DEGREE IN INTERNATIONAL RELA-**  
 4 **TIONS.**

5 Section 624 (20 U.S.C. 1131b) is amended—

6 (1) in the section heading, by striking “**MAS-**  
 7 **TERS**” and inserting “**ADVANCED**”;

8 (2) in the first sentence, by inserting “, and in  
 9 exceptional circumstances, a doctoral degree,” after  
 10 “masters degree”;

11 (3) in the second sentence, by striking “masters  
 12 degree” and inserting “advanced degree”; and

13 (4) in the fourth sentence, by striking “United  
 14 States” and inserting “United States.”.

15 **SEC. 616. INTERNSHIPS.**

16 Section 625 (20 U.S.C. 1131c) is amended—

17 (1) in subsection (a)—

18 (A) by striking “as defined in section 322  
 19 of this Act”;

20 (B) by striking “tribally controlled Indian  
 21 community colleges as defined in the Tribally  
 22 Controlled Community College Assistance Act  
 23 of 1978” and inserting “tribally controlled col-  
 24 leges or universities”;



1                   (C) by striking “an international” and in-  
2                   serting “international,”; and

3                   (D) by striking “the United States Infor-  
4                   mation Agency” and inserting “the Department  
5                   of State”; and

6                   (2) in subsection (c)(1)—

7                   (A) in subparagraph (E), by inserting  
8                   “and” after the semicolon;

9                   (B) in subparagraph (F), by striking “;  
10                  and” and inserting a period; and

11                  (C) by striking subparagraph (G).

12 **SEC. 617. FINANCIAL ASSISTANCE.**

13               Part C of title VI (20 U.S.C. 1131 et seq.) is further  
14 amended—

15               (1) by redesignating sections 626, 627, and 628  
16               as sections 627, 628, and 629, respectively; and

17               (2) by inserting after section 625 the following:

18 **“SEC. 626. FINANCIAL ASSISTANCE.**

19               “(a) **AUTHORITY.**—The Institute may provide finan-  
20 cial assistance, in the form of summer stipends described  
21 in subsection (b) and Ralph Bunche scholarship assistance  
22 described in subsection (c), to needy students to facilitate  
23 the participation of the students in the Institute’s pro-  
24 grams under this part.

25               “(b) **SUMMER STIPENDS.**—

1           “(1) REQUIREMENTS.—A student receiving a  
 2           summer stipend under this section shall use such sti-  
 3           pend to defray the student’s cost of participation in  
 4           a summer institute program funded under this part,  
 5           including the costs of travel, living, and educational  
 6           expenses necessary for the student’s participation in  
 7           such program.

8           “(2) AMOUNT.—A summer stipend awarded to  
 9           a student under this section shall not exceed \$3,000  
 10          per summer.

11          “(c) RALPH BUNCHE SCHOLARSHIP.—

12           “(1) REQUIREMENTS.—A student receiving a  
 13          Ralph Bunche scholarship under this section—

14           “(A) shall be a full-time student at an in-  
 15           stitution of higher education who is accepted  
 16           into a program funded under this part; and

17           “(B) shall use such scholarship to pay  
 18           costs related to the cost of attendance, as de-  
 19           fined in section 472, at the institution of higher  
 20           education in which the student is enrolled.

21           “(2) AMOUNT AND DURATION.—A Ralph  
 22          Bunche scholarship awarded to a student under this  
 23          section shall not exceed \$5,000 per academic year.”.

1 **SEC. 618. REPORT.**

2 Section 627 (as redesignated by section 617(1)) (20  
3 U.S.C. 1131d) is amended by striking “annually” and in-  
4 serting “biennially”.

5 **SEC. 619. GIFTS AND DONATIONS.**

6 Section 628 (as redesignated by section 617(1)) (20  
7 U.S.C. 1131e) is amended by striking “annual report de-  
8 scribed in section 626” and inserting “biennial report de-  
9 scribed in section 627”.

10 **SEC. 620. AUTHORIZATION OF APPROPRIATIONS FOR THE**  
11 **INSTITUTE FOR INTERNATIONAL PUBLIC**  
12 **POLICY.**

13 Section 629 (as redesignated by section 617(1)) (20  
14 U.S.C. 1131f) is amended by striking “\$10,000,000 for  
15 fiscal year 1999” and all that follows through the period  
16 and inserting “such sums as may be necessary for fiscal  
17 year 2008 and each of the 5 succeeding fiscal years.”.

18 **SEC. 621. DEFINITIONS.**

19 Section 631 (20 U.S.C. 1132) is amended—

20 (1) by striking paragraph (7);

21 (2) by redesignating paragraphs (2), (3), (4),  
22 (5), (6), (8), and (9), as paragraphs (7), (4), (8),  
23 (2), (10), (6), and (3), respectively;

24 (3) in paragraph (2), as redesignated by para-  
25 graph (2), by striking “comprehensive language and

1 area center” and inserting “comprehensive foreign  
 2 language and area or international studies center”;  
 3 (4) in paragraph (3), as redesignated by para-  
 4 graph (2), by striking the period at the end and in-  
 5 serting a semicolon;

6 (5) by inserting after paragraph (4), as redesign-  
 7 nated by paragraph (2), the following:

8 “(5) the term ‘historically Black college and  
 9 university’ has the meaning given the term ‘part B  
 10 institution’ in section 322,”;

11 (6) in paragraph (6), as redesignated by para-  
 12 graph (2), by striking “and” after the semicolon;

13 (7) by inserting after paragraph (8), as redesign-  
 14 nated by paragraph (2), the following:

15 “(9) the term ‘tribally controlled college or uni-  
 16 versity’ has the meaning given the term in section  
 17 2 of the Tribally Controlled College or University  
 18 Assistance Act of 1978 (25 U.S.C. 1801); and”;

19 (8) in paragraph (10), as redesignated by para-  
 20 graph (2), by striking “undergraduate language and  
 21 area center” and inserting “undergraduate foreign  
 22 language and area or international studies center”.

23 **SEC. 622. ASSESSMENT AND ENFORCEMENT.**

24 Part D of title VI (20 U.S.C. 1132) is amended by  
 25 adding at the end the following:

1 **“SEC. 632. ASSESSMENT; ENFORCEMENT; RULE OF CON-**  
2 **STRUCTION.**

3 “(a) **IN GENERAL.**—The Secretary is authorized to  
4 assess and ensure compliance with all the conditions and  
5 terms of grants provided under this title. If a complaint  
6 regarding activities funded under this title is not resolved  
7 under the process outlined in the relevant grantee’s appli-  
8 cation, such complaint shall be filed with the Department  
9 and reviewed by the Secretary. The Secretary shall take  
10 the review of such complaints into account when deter-  
11 mining the renewal of grants.

12 “(b) **RULE OF CONSTRUCTION.**—Nothing in this title  
13 shall be construed to authorize the Secretary to mandate,  
14 direct, or control an institution of higher education’s spe-  
15 cific instructional content, curriculum, or program of in-  
16 struction.

17 **“SEC. 633. EVALUATION, OUTREACH, AND INFORMATION.**

18 “The Secretary may use not more than 1 percent of  
19 the funds made available under this title to carry out pro-  
20 gram evaluation, national outreach, and information dis-  
21 semination activities relating to the programs authorized  
22 under this title.

23 **“SEC. 634. BIENNIAL REPORT.**

24 “The Secretary shall, in consultation and collabora-  
25 tion with the Secretary of State, the Secretary of Defense,  
26 and the heads of other relevant Federal agencies, submit

1 a biennial report that identifies areas of national need in  
 2 foreign language, area, and international studies as such  
 3 studies relate to government, education, business, and  
 4 nonprofit needs, and a plan to address those needs. The  
 5 report shall be provided to the authorizing committees and  
 6 made available to the public.”.

7 **TITLE VII—GRADUATE AND**  
 8 **POSTSECONDARY IMPROVE-**  
 9 **MENT PROGRAMS**

10 **SEC. 701. PURPOSE.**

11 Section 700(1)(B)(i) (20 U.S.C. 1133(1)(B)(i)) is  
 12 amended by inserting “, including those areas critical to  
 13 United States national and homeland security needs such  
 14 as mathematics, science, and engineering” before the  
 15 semicolon at the end.

16 **SEC. 702. ALLOCATION OF JACOB K. JAVITS FELLOWSHIPS.**

17 Section 702(a)(1) (20 U.S.C. 1134a(a)(1)) is amend-  
 18 ed to read as follows:

19 “(1) APPOINTMENT.—

20 “(A) IN GENERAL.—The Secretary shall  
 21 appoint a Jacob K. Javits Fellows Program  
 22 Fellowship Board (referred to in this subpart as  
 23 the ‘Board’) consisting of 9 individuals rep-  
 24 resentative of both public and private institu-

1           tions of higher education who are especially  
2           qualified to serve on the Board.

3           “(B) QUALIFICATIONS.—In making ap-  
4           pointments under subparagraph (A), the Sec-  
5           retary shall—

6                   “(i) give due consideration to the ap-  
7                   pointment of individuals who are highly re-  
8                   spected in the academic community;

9                   “(ii) assure that individuals appointed  
10                  to the Board are broadly representative of  
11                  a range of disciplines in graduate edu-  
12                  cation in arts, humanities, and social  
13                  sciences;

14                  “(iii) appoint members to represent  
15                  the various geographic regions of the  
16                  United States; and

17                  “(iv) include representatives from mi-  
18                  nority institutions, as defined in section  
19                  365.”.

20   **SEC. 703. STIPENDS.**

21           Section 703(a) (20 U.S.C. 1134b(a)) is amended by  
22   striking “graduate fellowships” and inserting “Graduate  
23   Research Fellowship Program”.

1 **SEC. 704. AUTHORIZATION OF APPROPRIATIONS FOR THE**  
 2 **JACOB K. JAVITS FELLOWSHIP PROGRAM.**

3 Section 705 (20 U.S.C. 1134d) is amended by strik-  
 4 ing “\$30,000,000 for fiscal year 1999” and all that fol-  
 5 lows through the period and inserting “such sums as may  
 6 be necessary for fiscal year 2008 and each of the 5 suc-  
 7 ceeding fiscal years to carry out this subpart.”.

8 **SEC. 705. INSTITUTIONAL ELIGIBILITY UNDER THE GRAD-**  
 9 **UATE ASSISTANCE IN AREAS OF NATIONAL**  
 10 **NEED PROGRAM.**

11 Section 712(b) (20 U.S.C. 1135a(b)) is amended to  
 12 read as follows:

13 “(b) DESIGNATION OF AREAS OF NATIONAL  
 14 NEED.—After consultation with appropriate Federal and  
 15 nonprofit agencies and organizations, including the Na-  
 16 tional Science Foundation, the Department of Defense,  
 17 the Department of Homeland Security, the National Acad-  
 18 emy of Sciences, and the Bureau of Labor Statistics, the  
 19 Secretary shall designate areas of national need. In mak-  
 20 ing such designations, the Secretary shall take into consid-  
 21 eration—

22 “(1) the extent to which the interest in the area  
 23 is compelling;

24 “(2) the extent to which other Federal pro-  
 25 grams support postbaccalaureate study in the area  
 26 concerned;



1           “(3) an assessment of how the program may  
2           achieve the most significant impact with available re-  
3           sources; and

4           “(4) an assessment of current and future pro-  
5           fessional workforce needs of the United States.”.

6   **SEC. 706. AWARDS TO GRADUATE STUDENTS.**

7           Section 714 (20 U.S.C. 1135c) is amended—

8           (1) in subsection (b)—

9                   (A) by striking “1999–2000” and inserting  
10                  “2008–2009”; and

11                  (B) by striking “graduate fellowships” and  
12                  inserting “Graduate Research Fellowship Pro-  
13                  gram”; and

14           (2) in subsection (c)—

15                   (A) by striking “716(a)” and inserting  
16                  “715(a)”; and

17                  (B) by striking “714(b)(2)” and inserting  
18                  “713(b)(2)”.

19   **SEC. 707. ADDITIONAL ASSISTANCE FOR COST OF EDU-**  
20           **CATION.**

21           Section 715(a)(1) (20 U.S.C. 1135d(a)(1)) is amend-  
22   ed—

23           (1) by striking “1999–2000” and inserting  
24           “2008–2009”; and

1           (2) by striking “1998–1999” and inserting  
2           “2007–2008”.

3   **SEC. 708. AUTHORIZATION OF APPROPRIATIONS FOR THE**  
4                   **GRADUATE ASSISTANCE IN AREAS OF NA-**  
5                   **TIONAL NEED PROGRAM.**

6           Section 716 (20 U.S.C. 1135e) is amended by strik-  
7   ing “\$35,000,000 for fiscal year 1999” and all that fol-  
8   lows through the period and inserting “such sums as may  
9   be necessary for fiscal year 2008 and each of the 5 suc-  
10   ceeding fiscal years to carry out this subpart.”.

11   **SEC. 709. LEGAL EDUCATIONAL OPPORTUNITY PROGRAM.**

12           Section 721 (20 U.S.C. 1136) is amended—

13           (1) in subsection (a)—

14                   (A) by inserting “secondary school and”  
15                   after “disadvantaged”; and

16                   (B) by inserting “and admission to law  
17                   practice” before the period at the end;

18           (2) in the matter preceding paragraph (1) of  
19   subsection (b), by inserting “secondary school stu-  
20   dent or” before “college student”;

21           (3) in subsection (c)—

22                   (A) in paragraph (1), by inserting “sec-  
23                   ondary school and” before “college students”;

24                   (B) by striking paragraph (2) and insert-  
25   ing the following:

1           “(2) to prepare such students for successful  
 2           completion of a baccalaureate degree and for study  
 3           at accredited law schools, and to assist them with  
 4           the development of analytical skills, writing skills,  
 5           and study methods to enhance the students’ success  
 6           and promote the students’ admission to and comple-  
 7           tion of law school;”;

8           (C) in paragraph (4), by striking “and”  
 9           after the semicolon;

10          (D) by striking paragraph (5) and insert-  
 11          ing the following:

12          “(4) to motivate and prepare such students—

13               “(A) with respect to law school studies and  
 14               practice in low-income communities; and

15               “(B) to provide legal services to low-in-  
 16               come individuals and families; and;”;

17          (E) by adding at the end the following:

18          “(6) to award Thurgood Marshall Fellowships  
 19          to eligible law school students—

20               “(A) who participated in summer institutes  
 21               under subsection (d)(6) and who are enrolled in  
 22               an accredited law school; or

23               “(B) who have successfully completed sum-  
 24               mer institute programs comparable to the sum-  
 25               mer institutes under subsection (d) that are

1 certified by the Council on Legal Education Op-  
 2 portunity.”;

3 ~~(4)~~ in subsection ~~(d)~~—

4 ~~(A)~~ in the matter preceding paragraph ~~(1)~~;  
 5 by inserting “pre-college programs, under-  
 6 graduate” before “pre-law”;

7 ~~(B)~~ in paragraph ~~(1)~~—

8 (i) in subparagraph ~~(B)~~, by inserting  
 9 “law school” before “graduation”; and

10 (ii) by striking subparagraph ~~(D)~~ and  
 11 inserting the following:

12 “~~(D)~~ pre-college and undergraduate pre-  
 13 paratory courses in analytical and writing skills,  
 14 study methods, and curriculum selection;”;

15 ~~(C)~~ by redesignating paragraphs ~~(2)~~  
 16 through ~~(6)~~ as paragraphs ~~(3)~~ through ~~(7)~~, re-  
 17 spectively;

18 ~~(D)~~ by inserting after paragraph ~~(1)~~ the  
 19 following:

20 “~~(2)~~ summer academic programs for secondary  
 21 school students who have expressed interest in a ca-  
 22 reer in the law;” and

23 ~~(E)~~ in paragraph ~~(7)~~ (as redesignated by  
 24 subparagraph ~~(C)~~), by inserting “and Associ-  
 25 ates” after “Thurgood Marshall Fellows”;

1           (5) in subsection (c)(1), by inserting “, includ-  
2           ing before and during undergraduate study” before  
3           the semicolon;

4           (6) in subsection (f)—

5                 (A) by inserting “national and State bar  
6                 associations,” after “agencies and organiza-  
7                 tions,”; and

8                 (B) by striking “and organizations.” and  
9                 inserting “organizations, and associations.”;

10           (7) by striking subsection (g) and inserting the  
11           following:

12           “(g) FELLOWSHIPS AND STIPENDS.—The Secretary  
13           shall annually establish the maximum fellowship to be  
14           awarded, and stipend to be paid (including allowances for  
15           participant travel and for the travel of the dependents of  
16           the participant), to Thurgood Marshall Fellows or Associ-  
17           ates for the period of participation in summer institutes,  
18           midyear seminars, and bar preparation seminars. A Fellow  
19           or Associate may be eligible for such a fellowship or sti-  
20           pend only if the Thurgood Marshall Fellow or Associate  
21           maintains satisfactory academic progress toward the Juris  
22           Doctor or Bachelor of Laws degree, as determined by the  
23           respective institutions (except with respect to a law school  
24           graduate enrolled in a bar preparation course).”; and

1           (8) in subsection (h), by striking “\$5,000,000  
 2           for fiscal year 1999” and all that follows through  
 3           the period at the end and inserting “such sums as  
 4           may be necessary for fiscal year 2008 and for each  
 5           of the 5 succeeding fiscal years”.

6 **SEC. 710. FUND FOR THE IMPROVEMENT OF POSTSEC-**  
 7 **ONDARY EDUCATION.**

8           Section 741 (20 U.S.C. 1138) is amended—

9           (1) in subsection (a)—

10                 (A) by striking paragraph (3) and insert-  
 11                 ing the following:

12                 “(3) the establishment and continuation of in-  
 13                 stitutions, programs, consortia, collaborations, and  
 14                 other joint efforts based on the technology of com-  
 15                 munications, including those efforts that utilize dis-  
 16                 tance education and technological advancements to  
 17                 educate and train postsecondary students (including  
 18                 health professionals serving medically underserved  
 19                 populations);”;

20                 (B) in paragraph (7), by striking “and”  
 21                 after the semicolon;

22                 (C) in paragraph (8), by striking the pe-  
 23                 riod at the end and inserting a semicolon; and

24                 (D) by adding at the end the following:

1           “(9) the introduction of reforms in remedial  
2           education, including English language instruction, to  
3           customize remedial courses to student goals and help  
4           students progress rapidly from remedial courses into  
5           core courses and through program completion; and

6           “(10) the creation of consortia that join diverse  
7           institutions of higher education to design and offer  
8           curricular and co-curricular interdisciplinary pro-  
9           grams at the undergraduate and graduate levels;  
10          sustained for not less than a 5 year period, that—

11                 “(A) focus on poverty and human capa-  
12                 bility; and

13                 “(B) include—

14                         “(i) a service-learning component; and

15                         “(ii) the delivery of educational serv-  
16                         ices through informational resource cen-  
17                         ters, summer institutes, midyear seminars,  
18                         and other educational activities that stress  
19                         the effects of poverty and how poverty can  
20                         be alleviated through different career  
21                         paths.”; and

22          (2) by adding at the end the following:

23          “(c) PROJECT GRAD.—

24                 “(1) PURPOSES.—The purposes of this sub-  
25          section are—

1           “(A) to provide support and assistance to  
 2           programs implementing integrated education re-  
 3           form services in order to improve secondary  
 4           school graduation, college attendance, and col-  
 5           lege completion rates for at-risk students; and

6           “(B) to promote the establishment of new  
 7           programs to implement such integrated edu-  
 8           cation reform services.

9           “(2) DEFINITIONS.—In this subsection:

10           “(A) AT-RISK.—The term ‘at-risk’ has the  
 11           same meaning given such term in section 1432  
 12           of the Elementary and Secondary Education  
 13           Act of 1965.

14           “(B) FEEDER PATTERN.—The term ‘feed-  
 15           er pattern’ means a secondary school and the  
 16           elementary schools and middle schools that  
 17           channel students into that secondary school.

18           “(3) GRANT AUTHORIZED.—The Secretary is  
 19           authorized to award a grant to Project GRAD USA  
 20           (referred to in this subsection as the ‘grantee’), a  
 21           nonprofit educational organization that has as its  
 22           primary purpose the improvement of secondary  
 23           school graduation, college attendance, and college  
 24           completion rates for at-risk students; to implement  
 25           and sustain the integrated education reform pro-



1       gram at existing Project GRAD sites, and to pro-  
 2       mote the expansion of the Project GRAD program  
 3       to new sites.

4               “(4) REQUIREMENTS OF GRANT AGREEMENT.—

5       The Secretary shall enter into an agreement with  
 6       the grantee that requires that the grantee shall—

7               “(A) enter into subcontracts with nonprofit  
 8       educational organizations that serve a substan-  
 9       tial number or percentage of at-risk students  
 10      (referred to in this subsection as ‘subcontrac-  
 11      tors’), under which the subcontractors agree to  
 12      implement the Project GRAD program and pro-  
 13      vide matching funds for such programs; and

14              “(B) directly carry out—

15              “(i) activities to implement and sus-  
 16      tain the literacy, mathematics, classroom  
 17      management, social service, and college ac-  
 18      cess components of the Project GRAD pro-  
 19      gram;

20              “(ii) activities for the purpose of im-  
 21      plementing new Project GRAD program  
 22      sites;

23              “(iii) activities to support, evaluate,  
 24      and consistently improve the Project  
 25      GRAD program;

1           “(iv) activities for the purpose of pro-  
 2           moting greater public awareness of inte-  
 3           grated education reform services to im-  
 4           prove secondary school graduation, college  
 5           attendance, and college completion rates  
 6           for at-risk students; and

7           “(v) other activities directly related to  
 8           improving secondary school graduation,  
 9           college attendance, and college completion  
 10          rates for at-risk students.

11          ~~“(5) GRANTEE CONTRIBUTION AND MATCHING~~  
 12          ~~REQUIREMENT.—~~

13          ~~“(A) IN GENERAL.—~~The grantee shall pro-  
 14          vide funds to each subcontractor based on the  
 15          number of students served by the subcontractor  
 16          in the Project GRAD program, adjusted to take  
 17          into consideration—

18               “(i) the resources available in the area  
 19               where the subcontractor will implement the  
 20               Project GRAD program; and

21               “(ii) the need for the Project GRAD  
 22               program in such area to improve student  
 23               outcomes, including reading and mathe-  
 24               matics achievement and, where applicable,

1 secondary school graduation, college at-  
 2 tendance, and college completion rates.

3 “(B) MATCHING REQUIREMENT.—Each  
 4 subcontractor shall provide funds for the  
 5 Project GRAD program in an amount that is  
 6 equal to or greater than the amount received by  
 7 the subcontractor from the grantee. Such  
 8 matching funds may be provided in cash or in-  
 9 kind, fairly evaluated.

10 “(6) EVALUATION.—The Secretary shall select  
 11 an independent entity to evaluate, every 3 years, the  
 12 performance of students who participate in a Project  
 13 GRAD program under this subsection.

14 “(d) CENTER FOR BEST PRACTICES TO SUPPORT  
 15 SINGLE PARENT STUDENTS.—

16 “(1) PROGRAM AUTHORIZED.—The Secretary is  
 17 authorized to award 1 grant or contract to an insti-  
 18 tution of higher education to enable such institution  
 19 to establish and maintain a center to study and de-  
 20 velop best practices for institutions of higher edu-  
 21 cation to support single parents who are also stu-  
 22 dents attending such institutions.

23 “(2) INSTITUTION REQUIREMENTS.—The Sec-  
 24 retary shall award the grant or contract under this  
 25 subsection to a 4-year institution of higher education

1 that has demonstrated expertise in the development  
 2 of programs to assist single parents who are stu-  
 3 dents at institutions of higher education, as shown  
 4 by the institution's development of a variety of tar-  
 5 geted services to such students, including on-campus  
 6 housing, child care, counseling, advising, internship  
 7 opportunities, financial aid, and financial aid coun-  
 8 seling and assistance.

9 ~~“(3) CENTER ACTIVITIES.—~~The center funded  
 10 under this section shall—

11 ~~“(A) assist institutions implementing inno-~~  
 12 ~~vative programs that support single parents~~  
 13 ~~pursuing higher education;~~

14 ~~“(B) study and develop an evaluation pro-~~  
 15 ~~tocol for such programs that includes quan-~~  
 16 ~~titative and qualitative methodologies;~~

17 ~~“(C) provide appropriate technical assist-~~  
 18 ~~ance regarding the replication, evaluation, and~~  
 19 ~~continuous improvement of such programs; and~~

20 ~~“(D) develop and disseminate best prac-~~  
 21 ~~tices for such programs.~~

22 ~~“(e) UNDERSTANDING THE FEDERAL REGULATORY~~  
 23 ~~IMPACT ON HIGHER EDUCATION.—~~

24 ~~“(1) PURPOSE.—~~The purpose of this subsection  
 25 is to help institutions of higher education under-

stand the regulatory impact of the Federal Government on such institutions, in order to raise awareness of institutional legal obligations and provide information to improve compliance with, and to reduce the duplication and inefficiency of, Federal regulations.

“(2) PROGRAM AUTHORIZED.—The Secretary is authorized to award 1 grant or contract to an institution of higher education to enable the institution to carry out the activities described in the agreement under paragraph (4).

“(3) INSTITUTION REQUIREMENTS.—The Secretary shall award the grant or contract under this subsection to an institution of higher education that has demonstrated expertise in—

“(A) reviewing Federal higher education regulations;

“(B) maintaining a clearinghouse of compliance training materials; and

“(C) explaining the impact of such regulations to institutions of higher education through a comprehensive and freely accessible website.

“(4) REQUIREMENTS OF AGREEMENT.—As a condition of receiving a grant or contract under this subsection, the institution of higher education shall

1 enter into an agreement with the Secretary that  
2 shall require the institution to—

3 “(A) monitor Federal regulations, includ-  
4 ing notices of proposed rulemaking, for their  
5 impact or potential impact on higher education;

6 “(B) provide a succinct description of each  
7 regulation or proposed regulation that is rel-  
8 evant to higher education; and

9 “(C) maintain a website providing informa-  
10 tion on Federal regulations that is easy to use,  
11 searchable, and updated regularly.”.

12 **SEC. 711. SPECIAL PROJECTS.**

13 Section 744(c) (20 U.S.C. 1138c) is amended to read  
14 as follows:

15 “(c) **AREAS OF NATIONAL NEED.**—Areas of national  
16 need shall include, at a minimum, the following:

17 “(1) Institutional restructuring to improve  
18 learning and promote productivity, efficiency, quality  
19 improvement, and cost and price control.

20 “(2) Improvements in academic instruction and  
21 student learning, including efforts designed to assess  
22 the learning gains made by postsecondary students.

23 “(3) Articulation between 2- and 4-year institu-  
24 tions of higher education, including developing inno-  
25 vative methods for ensuring the successful transfer

1 of students from 2- to 4-year institutions of higher  
2 education.

3 “(4) Development, evaluation and dissemination  
4 of model programs, including model core curricula  
5 that—

6 “(A) provide students with a broad and in-  
7 tegrated knowledge base;

8 “(B) include, at a minimum, broad survey  
9 courses in English literature, American and  
10 world history, American political institutions,  
11 economics, philosophy, college-level mathe-  
12 matics, and the natural sciences; and

13 “(C) include sufficient study of a foreign  
14 language to lead to reading and writing com-  
15 petency in the foreign language.

16 “(5) International cooperation and student ex-  
17 changes among postsecondary educational institu-  
18 tions.”.

19 **SEC. 712. AUTHORIZATION OF APPROPRIATIONS FOR THE**  
20 **FUND FOR THE IMPROVEMENT OF POSTSEC-**  
21 **ONDARY EDUCATION.**

22 Section 745 (20 U.S.C. 1138d) is amended by strik-  
23 ing “\$30,000,000 for fiscal year 1999” and all that fol-  
24 lows through the period and inserting “such sums as may

1 be necessary for fiscal year 2008 and each of the 5 suc-  
 2 ceeding fiscal years.”.

3 **SEC. 713. REPEAL OF THE URBAN COMMUNITY SERVICE**  
 4 **PROGRAM.**

5 Part C of title VII (20 U.S.C. 1139 et seq.) is re-  
 6 pealed.

7 **SEC. 714. GRANTS FOR STUDENTS WITH DISABILITIES.**

8 (a) GRANTS AUTHORIZED FOR DEMONSTRATION  
 9 PROJECTS TO ENSURE STUDENTS WITH DISABILITIES  
 10 RECEIVE A QUALITY HIGHER EDUCATION.—Section 762  
 11 (20 U.S.C. 1140a) is amended—

12 (1) in subsection (b)—

13 (A) in paragraph (2)—

14 (i) in subparagraph (A), by striking  
 15 “to teach students with disabilities” and  
 16 inserting “to teach and meet the academic  
 17 and programmatic needs of students with  
 18 disabilities in order to improve retention  
 19 and completion of postsecondary edu-  
 20 cation”;

21 (ii) by redesignating subparagraphs  
 22 (B) and (C) as subparagraphs (C) and  
 23 (F), respectively;

24 (iii) by inserting after subparagraph  
 25 (A) the following:



1           “(B) EFFECTIVE TRANSITION PRAC-  
2           TICES.—The development of innovative and ef-  
3           fective teaching methods and strategies to en-  
4           sure the successful transition of students with  
5           disabilities from secondary school to postsec-  
6           ondary education.”;

7           (iv) in subparagraph (C), as redesign-  
8           ated by clause (ii), by striking the period  
9           at the end and inserting “; including data  
10          on the postsecondary education of and im-  
11          pact on subsequent employment of stu-  
12          dents with disabilities. Such research, in-  
13          formation, and data shall be made publicly  
14          available and accessible.”;

15          (v) by inserting after subparagraph  
16          (C), as redesignated by clause (ii), the fol-  
17          lowing:

18          “(D) DISTANCE LEARNING.—The develop-  
19          ment of innovative and effective teaching meth-  
20          ods and strategies to provide faculty and ad-  
21          ministrators with the ability to provide acces-  
22          sible distance education programs or classes  
23          that would enhance access of students with dis-  
24          abilities to higher education, including the use

of accessible curriculum and electronic communication for instruction and advisement.

~~“(E) DISABILITY CAREER PATHWAYS.—~~

~~“(i) IN GENERAL.—Training and providing support to secondary and postsecondary staff with respect to disability-related fields to—~~

~~“(I) encourage interest and participation in such fields, among students with disabilities and other students;~~

~~“(II) enhance awareness and understanding of such fields among such students;~~

~~“(III) provide educational opportunities in such fields among such students;~~

~~“(IV) teach practical skills related to such fields among such students; and~~

~~“(V) offer work-based opportunities in such fields among such students.~~

~~“(ii) DEVELOPMENT.—The training and support described in clause (i) may in-~~

1           clude developing means to offer students  
2           credit-bearing, college-level coursework,  
3           and career and educational counseling.”;

4           (vi) by adding at the end the fol-  
5           lowing:

6           “(G) ACCESSIBILITY OF EDUCATION.—  
7           Making postsecondary education more acces-  
8           sible to students with disabilities through cur-  
9           riculum development.”; and

10          (B) in paragraph (2), by striking “sub-  
11          paragraphs (A) through (C)” and inserting  
12          “subparagraphs (A) through (G)”;

13          (2) by adding at the end the following:

14          “(d) REPORT.—Not later than 3 years after the date  
15          of enactment of the Higher Education Amendments of  
16          2007, the Secretary shall prepare and disseminate a re-  
17          port reviewing the activities of the demonstration projects  
18          authorized under this subpart and providing guidance and  
19          recommendations on how successful projects can be rep-  
20          licated.”.

21          (b) TRANSITION PROGRAMS FOR STUDENTS WITH  
22          INTELLECTUAL DISABILITIES INTO HIGHER EDUCATION;  
23          COORDINATING CENTER.—Part D of title VII (20 U.S.C.  
24          1140 et seq.) is further amended—

1           (1) in the part heading, by striking “**DEM-**  
2           **ONSTRATION**”;

3           (2) by inserting after the part heading the fol-  
4           lowing:

5           **“Subpart 1—Quality Higher Education”;**

6           and

7           (3) by adding at the end the following:

8           **“Subpart 2—Transition Programs for Students With**  
9           **Intellectual Disabilities Into Higher Education;**  
10          **Coordinating Center**

11       ~~“SEC. 771. PURPOSE.~~

12       ~~“It is the purpose of this subpart to support model~~  
13       ~~demonstration programs that promote the successful tran-~~  
14       ~~sition of students with intellectual disabilities into higher~~  
15       ~~education.~~

16       ~~“SEC. 772. DEFINITIONS.~~

17       ~~“In this subpart:~~

18           ~~“(1) COMPREHENSIVE TRANSITION AND POST-~~  
19       ~~SECONDARY PROGRAM FOR STUDENTS WITH INTEL-~~  
20       ~~LECTUAL DISABILITIES.—The term ‘comprehensive~~  
21       ~~transition and postsecondary program for students~~  
22       ~~with intellectual disabilities’ means a degree, certifi-~~  
23       ~~cate, or nondegree program offered by an institution~~  
24       ~~of higher education that—~~

1           “(A) is designed for students with intellec-  
 2           tual disabilities who seek to continue academic,  
 3           vocational, or independent living instruction at  
 4           the institution in order to prepare for gainful  
 5           employment;

6           “(B) includes an advising and curriculum  
 7           structure; and

8           “(C) requires the enrollment of the student  
 9           (through enrollment in credit-bearing courses,  
 10          auditing or participating in courses, partici-  
 11          pating in internships, or enrollment in non-  
 12          credit, nondegree courses) in the equivalent of  
 13          not less than a half-time course of study, as de-  
 14          termined by the institution.

15          “(2) STUDENT WITH AN INTELLECTUAL DIS-  
 16          ABILITY.—The term ‘student with an intellectual  
 17          disability’ means a student whose mental retardation  
 18          or other significant cognitive impairment substan-  
 19          tially impacts the student’s intellectual and cognitive  
 20          functioning.

21       **“SEC. 773. MODEL COMPREHENSIVE TRANSITION AND**  
 22                       **POSTSECONDARY PROGRAMS FOR STUDENTS**  
 23                       **WITH INTELLECTUAL DISABILITIES.**

24          “(a) GRANTS AUTHORIZED.—

1           “(1) IN GENERAL.—The Secretary shall annu-  
 2           ally award grants, on a competitive basis, to institu-  
 3           tions of higher education (or consortia of institutions  
 4           of higher education); to create or expand high-qual-  
 5           ity, inclusive model comprehensive transition and  
 6           postsecondary programs for students with intellec-  
 7           tual disabilities.

8           “(2) NUMBER AND DURATION OF GRANTS.—  
 9           The Secretary shall award not less than 10 grants  
 10          per year under this section, and each grant awarded  
 11          under this subsection shall be for a period of 5  
 12          years.

13          “(b) APPLICATION.—An institution of higher edu-  
 14          cation (or a consortium) desiring a grant under this sec-  
 15          tion shall submit an application to the Secretary at such  
 16          time, in such manner, and containing such information as  
 17          the Secretary may require.

18          “(c) PREFERENCE.—In awarding grants under this  
 19          section, the Secretary shall give preference to institutions  
 20          of higher education (or consortia) that—

21                 “(1) will carry out a model program under the  
 22                 grant in a State that does not already have a com-  
 23                 prehensive transition and postsecondary program for  
 24                 students with intellectual disabilities; or

1           “(2) in the application submitted under sub-  
2           section (b), agree to incorporate 1 or more the fol-  
3           lowing elements into the model programs carried out  
4           under the grant:

5                   “(A) The formation of a partnership with  
6                   any relevant agency serving students with intel-  
7                   lectual disabilities, such as a vocational rehabili-  
8                   tation agency.

9                   “(B) In the case of an institution of higher  
10                  education that provides institutionally-owned or  
11                  operated housing for students attending the in-  
12                  stitution, the integration of students with intel-  
13                  lectual disabilities into such housing.

14                  “(C) The involvement of students attend-  
15                  ing the institution of higher education who are  
16                  studying special education, general education,  
17                  vocational rehabilitation, assistive technology, or  
18                  related fields in the model program carried out  
19                  under the grant.

20           “(d) USE OF FUNDS.—An institution of higher edu-  
21           cation (or consortium) receiving a grant under this section  
22           shall use the grant funds to establish a model comprehen-  
23           sive transition and postsecondary program for students  
24           with intellectual disabilities that—

1           “(1) serves students with intellectual disabil-  
2           ities, including students with intellectual disabilities  
3           who are no longer eligible for special education and  
4           related services under the Individuals with Disabil-  
5           ities Education Act;

6           “(2) provides individual supports and services  
7           for the academic and social inclusion of students  
8           with intellectual disabilities in academic courses, ex-  
9           tracurricular activities, and other aspects of the in-  
10          stitution of higher education’s regular postsecondary  
11          program;

12          “(3) with respect to the students with intellec-  
13          tual disabilities participating in the model program;  
14          provides a focus on—

15               “(A) academic enrichment;

16               “(B) socialization;

17               “(C) independent living, including self-ad-  
18          vocacy skills; and

19               “(D) integrated work experiences and ca-  
20          reer skills that lead to gainful employment;

21          “(4) integrates person-centered planning in the  
22          development of the course of study for each student  
23          with an intellectual disability participating in the  
24          model program;



1           “(5) participates with the coordinating center  
2           established under section 774 in the evaluation of  
3           the model program;

4           “(6) partners with 1 or more local educational  
5           agencies to support students with intellectual disabili-  
6           ties participating in the model program who are still  
7           eligible for special education and related services  
8           under such Act, including regarding the utilization  
9           of funds available under part B of the Individuals  
10          with Disabilities Education Act for such students;

11          “(7) plans for the sustainability of the model  
12          program after the end of the grant period; and

13          “(8) creates and offers a meaningful credential  
14          for students with intellectual disabilities upon the  
15          completion of the model program.

16          “(e) MATCHING REQUIREMENT.—An institution of  
17          higher education that receives a grant under this section  
18          shall provide toward the cost of the model comprehensive  
19          transition and postsecondary program for students with  
20          intellectual disabilities carried out under the grant, match-  
21          ing funds, which may be provided in cash or in-kind, in  
22          an amount not less than 25 percent of the amount of such  
23          grant funds.

24          “(f) REPORT.—Not later than 3 years after the date  
25          of enactment of the Higher Education Amendments of

1 2007, the Secretary shall prepare and disseminate a re-  
 2 port reviewing the activities of the model comprehensive  
 3 transition and postsecondary programs for students with  
 4 intellectual disabilities authorized under this subpart and  
 5 providing guidance and recommendations on how success-  
 6 ful programs can be replicated.

7 “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
 8 are authorized to be appropriated to carry out this section  
 9 such sums as may be necessary.

10 **“SEC. 774. COORDINATING CENTER FOR TECHNICAL AS-**  
 11 **SISTANCE, EVALUATION, AND DEVELOPMENT**  
 12 **OF ACCREDITATION STANDARDS.**

13 “(a) IN GENERAL.—

14 “(1) AWARD.—The Secretary shall, on a com-  
 15 petitive basis, enter into a cooperative agreement  
 16 with an eligible entity, for the purpose of estab-  
 17 lishing a coordinating center for technical assistance,  
 18 evaluation, and development of accreditation stand-  
 19 ards for institutions of higher education that offer  
 20 inclusive model comprehensive transition and post-  
 21 secondary programs for students with intellectual  
 22 disabilities.

23 “(2) DURATION.—The cooperative agreement  
 24 under this section shall be for a period of 5 years.

1       “(b) REQUIREMENTS OF COOPERATIVE AGREE-  
2     MENT.—The eligible entity entering into a cooperative  
3     agreement under this section shall establish and maintain  
4     a center that shall—

5           “(1) serve as the technical assistance entity for  
6     all model comprehensive transition and postsec-  
7     ondary programs for students with intellectual dis-  
8     abilities assisted under section 773;

9           “(2) provide technical assistance regarding the  
10    development, evaluation, and continuous improve-  
11    ment of such programs;

12          “(3) develop an evaluation protocol for such  
13    programs that includes qualitative and quantitative  
14    methodology measuring student outcomes and pro-  
15    gram strengths in the areas of academic enrichment,  
16    socialization, independent living, and competitive or  
17    supported employment;

18          “(4) assist recipients of grants under section  
19    773 in efforts to award a meaningful credential to  
20    students with intellectual disabilities upon the com-  
21    pletion of such programs, which credential takes into  
22    consideration unique State factors;

23          “(5) develop model criteria, standards, and pro-  
24    cedures to be used in accrediting such programs  
25    that—

1           “(A) include, in the development of the  
2           model criteria, standards, and procedures for  
3           such programs, the participation of—

4                   “(i) an expert in higher education;

5                   “(ii) an expert in special education;

6                   “(iii) a disability organization that  
7           represents students with intellectual dis-  
8           abilities; and

9                   “(iv) a State, regional, or national ac-  
10          crediting agency or association recognized  
11          by the Secretary under subpart 2 of part  
12          H of title IV; and

13          “(B) define the necessary components of  
14          such programs, such as—

15                   “(i) academic, vocational, social, and  
16          independent living skills;

17                   “(ii) evaluation of student progress;

18                   “(iii) program administration and  
19          evaluation;

20                   “(iv) student eligibility; and

21                   “(v) issues regarding the equivalency  
22          of a student’s participation in such pro-  
23          grams to semester, trimester, quarter,  
24          credit, or clock hours at an institution of  
25          higher education, as the case may be;

1           “(6) analyze possible funding streams for such  
2           programs and provide recommendations regarding  
3           the funding streams;

4           “(7) develop model memoranda of agreement  
5           between institutions of higher education and agen-  
6           cies providing funding for such programs;

7           “(8) develop mechanisms for regular commu-  
8           nication between the recipients of grants under sec-  
9           tion 773 regarding such programs; and

10          “(9) host a meeting of all recipients of grants  
11          under section 773 not less often than once a year.

12          “(c) DEFINITION OF ELIGIBLE ENTITY.—In this sec-  
13          tion, the term ‘eligible entity’ means an entity, or a part-  
14          nership of entities, that has demonstrated expertise in the  
15          fields of higher education; students with intellectual dis-  
16          abilities; the development of comprehensive transition and  
17          postsecondary programs for students with intellectual dis-  
18          abilities; and evaluation.

19          “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
20          are authorized to be appropriated to carry out this section  
21          such sums as may be necessary.”.

22          “(e) CONFORMING AMENDMENTS.—Part D of title VII  
23          (20 U.S.C. 1140 et seq.) is further amended—

24                 “(1) in section 761, by striking “part” and in-  
25                 serting “subpart”;

1           (2) in section 762 (as amended by subsection  
2           (a)), by striking “part” each place the term appears  
3           and inserting “subpart”;

4           (3) in section 763, by striking “part” both  
5           places the term appears and inserting “subpart”;

6           (4) in section 764, by striking “part” and in-  
7           serting “subpart”; and

8           (5) in section 765, by striking “part” and in-  
9           serting “subpart”.

10 **SEC. 715. APPLICATIONS FOR DEMONSTRATION PROJECTS**  
11 **TO ENSURE STUDENTS WITH DISABILITIES**  
12 **RECEIVE A QUALITY HIGHER EDUCATION.**

13           Section 763 (as amended in section 714(c)(3)) (20  
14 U.S.C. 1140b) is further amended—

15           (1) by striking paragraph (1) and inserting the  
16           following:

17           “(1) a description of how such institution plans  
18           to address the activities allowed under this sub-  
19           part;”;

20           (2) in paragraph (2), by striking “and” after  
21           the semicolon;

22           (3) in paragraph (3), by striking the period at  
23           the end and inserting “; and”; and

24           (4) by adding at the end the following:

1           “(4) a description of the extent to which the in-  
 2           stitution will work to replicate the research based  
 3           and best practices of institutions of higher education  
 4           with demonstrated success in serving students with  
 5           disabilities.”.

6 **SEC. 716. AUTHORIZATION OF APPROPRIATIONS FOR DEM-**  
 7 **ONSTRATION PROJECTS TO ENSURE STU-**  
 8 **DENTS WITH DISABILITIES RECEIVE A QUAL-**  
 9 **ITY HIGHER EDUCATION.**

10       Section 765 (20 U.S.C. 1140d) is amended by strik-  
 11 ing “\$10,000,000 for fiscal year 1999” and all that fol-  
 12 lows through the period and inserting “such sums as may  
 13 be necessary for fiscal year 2008 and each of the 5 suc-  
 14 ceeding fiscal years.”.

15 **“TITLE VII—MISCELLANEOUS**

16 **SEC. 801. MISCELLANEOUS.**

17       The Act (20 U.S.C. 1001 et seq.) is amended by add-  
 18 ing at the end the following:

19 **“TITLE VII—MISCELLANEOUS**

20 **“PART A—MATHEMATICS AND SCIENCE**

21 **SCHOLARS PROGRAM**

22 **“SEC. 811. MATHEMATICS AND SCIENCE SCHOLARS PRO-**  
 23 **GRAM.**

24       “(a) PROGRAM AUTHORIZED.—The Secretary is au-  
 25 thorized to award grants to States, on a competitive basis,

1 to enable the States to award eligible students, who com-  
2 plete a rigorous secondary school curriculum in mathe-  
3 matics and science, scholarships for undergraduate study.

4 “(b) ELIGIBLE STUDENTS.—A student is eligible for  
5 a scholarship under this section if the student is a full-  
6 time undergraduate student in the student’s first and sec-  
7 ond year of study who has completed a rigorous secondary  
8 school curriculum in mathematics and science.

9 “(c) RIGOROUS CURRICULUM.—Each participating  
10 State shall determine the requirements for a rigorous sec-  
11 ondary school curriculum in mathematics and science de-  
12 scribed in subsection (b).

13 “(d) PRIORITY FOR SCHOLARSHIPS.—The Governor  
14 of a State may set a priority for awarding scholarships  
15 under this section for particular eligible students, such as  
16 students attending schools in high-need areas, students  
17 who are from groups underrepresented in the fields of  
18 mathematics, science, and engineering, students served by  
19 local educational agencies that do not meet or exceed State  
20 standards in mathematics and science, or students with  
21 regional or geographic needs as determined appropriate by  
22 the Governor.

23 “(e) AMOUNT AND DURATION OF SCHOLARSHIP.—  
24 The Secretary shall award a grant under this section—



1           “(1) in an amount that does not exceed \$1,000;  
2           and

3           “(2) for not more than 2 years of under-  
4           graduate study.

5           “(f) MATCHING REQUIREMENT.—In order to receive  
6 a grant under this section, a State shall provide matching  
7 funds for the scholarships awarded under this section in  
8 an amount equal to 50 percent of the Federal funds re-  
9 ceived.

10          “(g) AUTHORIZATION.—There are authorized to be  
11 appropriated to carry out this section such sums as may  
12 be necessary for fiscal year 2008 and each of the 5 suc-  
13 ceeding fiscal years.

14           **“PART B—POSTSECONDARY EDUCATION**  
15                           **ASSESSMENT**

16           **“SEC. 816. POSTSECONDARY EDUCATION ASSESSMENT.**

17          “(a) CONTRACT FOR ASSESSMENT.—The Secretary  
18 shall enter into a contract, with an independent, bipartisan  
19 organization with specific expertise in public administra-  
20 tion and financial management, to carry out an inde-  
21 pendent assessment of the cost factors associated with the  
22 cost of tuition at institutions of higher education.

23          “(b) TIMEFRAME.—The Secretary shall enter into  
24 the contract described in subsection (a) not later than 90

1 days after the date of enactment of the Higher Education  
2 Amendments of 2007.

3 ~~“(e) MATTERS ASSESSED.—The assessment de-~~  
4 ~~scribed in subsection (a) shall—~~

5 ~~“(1) examine the key elements driving the cost~~  
6 ~~factors associated with the cost of tuition at institu-~~  
7 ~~tions of higher education during the 2001–2002 aca-~~  
8 ~~demic year and succeeding academic years;~~

9 ~~“(2) identify and evaluate measures being used~~  
10 ~~to control postsecondary education costs;~~

11 ~~“(3) identify and evaluate effective measures~~  
12 ~~that may be utilized to control postsecondary edu-~~  
13 ~~cation costs in the future; and~~

14 ~~“(4) identify systemic approaches to monitor~~  
15 ~~future postsecondary education cost trends and post-~~  
16 ~~secondary education cost control mechanisms.~~

17 **~~“PART C—JOB SKILL TRAINING IN HIGH-GROWTH~~**  
18 **~~OCCUPATIONS OR INDUSTRIES~~**

19 **~~“SEC. 821. JOB SKILL TRAINING IN HIGH-GROWTH OCCUPA-~~**  
20 **~~TIONS OR INDUSTRIES.~~**

21 ~~“(a) GRANTS AUTHORIZED.—The Secretary is au-~~  
22 ~~thorized to award grants; on a competitive basis; to eligible~~  
23 ~~partnerships to enable the eligible partnerships to provide~~  
24 ~~relevant job skill training in high-growth industries or oc-~~  
25 ~~cupations.~~

1       “(b) DEFINITIONS.—In this section:

2               “(1) ELIGIBLE PARTNERSHIP.—The term ‘eligi-  
3       ble partnership’ means a partnership—

4                       “(A) between an institution of higher edu-  
5                       cation and a local board (as such term is de-  
6                       fined in section 101 of the Workforce Invest-  
7                       ment Act of 1998); or

8                       “(B) if an institution of higher education  
9                       is located within a State that does not operate  
10                      local boards; between the institution of higher  
11                      education and a State board (as such term is  
12                      defined in section 101 of the Workforce Invest-  
13                      ment Act of 1998).

14               “(2) NONTRADITIONAL STUDENT.—The term  
15       ‘nontraditional student’ means a student who—

16                       “(A) is independent, as defined in section  
17                       480(d);

18                       “(B) attends an institution of higher edu-  
19                       cation—

20                               “(i) on less than a full-time basis;

21                               “(ii) via evening, weekend, modular,  
22                               or compressed courses; or

23                               “(iii) via distance education methods;

24                               or

1           ~~“(C) has delayed enrollment at an institu-~~  
 2           ~~tion of higher education.~~

3           ~~“(3) INSTITUTION OF HIGHER EDUCATION.—~~

4           The term ‘institution of higher education’ means an  
 5           institution of higher education, as defined in section  
 6           101(b), that offers a 1- or 2-year program of study  
 7           leading to a degree or certificate.

8           ~~“(e) APPLICATION.—~~

9           ~~“(1) IN GENERAL.—~~Each eligible partnership  
 10          that desires a grant under this section shall submit  
 11          an application to the Secretary at such time, in such  
 12          manner, and accompanied by such additional infor-  
 13          mation as the Secretary may require.

14          ~~“(2) CONTENTS.—~~Each application submitted  
 15          under paragraph (1) shall include a description of—

16                 ~~“(A) how the eligible partnership, through~~  
 17                 the institution of higher education, will provide  
 18                 relevant job skill training for students to enter  
 19                 high-growth occupations or industries;

20                 ~~“(B) local high-growth occupations or in-~~  
 21                 dustries; and

22                 ~~“(C) the need for qualified workers to meet~~  
 23                 the local demand of high-growth occupations or  
 24                 industries.

1       “(d) AWARD BASIS.—In awarding grants under this  
2 section, the Secretary shall—

3           “(1) ensure an equitable distribution of grant  
4 funds under this section among urban and rural  
5 areas of the United States; and

6           “(2) take into consideration the capability of  
7 the institution of higher education—

8           “(A) to offer relevant, high quality instruc-  
9 tion and job skill training for students entering  
10 a high-growth occupation or industry;

11           “(B) to involve the local business commu-  
12 nity and to place graduates in the community  
13 in employment in high-growth occupations or  
14 industries;

15           “(C) to provide secondary students with  
16 dual-enrollment or concurrent enrollment op-  
17 tions;

18           “(D) to serve nontraditional or low-income  
19 students; or adult or displaced workers; and

20           “(E) to serve students from rural or re-  
21 mote communities.

22       “(e) USE OF FUNDS.—Grant funds provided under  
23 this section may be used—

1           “(1) to expand or create academic programs or  
2           programs of training that provide relevant job skill  
3           training for high-growth occupations or industries;

4           “(2) to purchase equipment which will facilitate  
5           the development of academic programs or programs  
6           of training that provide training for high-growth oc-  
7           cupations or industries;

8           “(3) to support outreach efforts that enable  
9           students to attend institutions of higher education  
10          with academic programs or programs of training fo-  
11          cused on high-growth occupations or industries;

12          “(4) to expand or create programs for distance,  
13          evening, weekend, modular, or compressed learning  
14          opportunities that provide relevant job skill training  
15          in high-growth occupations or industries;

16          “(5) to build partnerships with local businesses  
17          in high-growth occupations or industries;

18          “(6) to support curriculum development related  
19          to entrepreneurial training; and

20          “(7) for other uses that the Secretary deter-  
21          mines to be consistent with the intent of this section.

22          “(f) REQUIREMENTS.—

23                 “(1) FISCAL AGENT.—For the purpose of this  
24          section, the institution of higher education in an eli-

1       gible partnership shall serve as the fiscal agent and  
2       grant recipient for the eligible partnership.

3           ~~“(2) DURATION.—~~The Secretary shall award  
4       grants under this section for periods that may not  
5       exceed 5 years.

6           ~~“(3) SUPPLEMENT, NOT SUPPLANT.—~~Funds  
7       made available under this section shall be used to  
8       supplement and not supplant other Federal, State,  
9       and local funds available to the eligible partnership  
10      for carrying out the activities described in subsection  
11      (e).

12      ~~“(g) AUTHORIZATION OF APPROPRIATIONS.—~~There  
13      are authorized to be appropriated to carry out this part  
14      such sums as may be necessary for fiscal year 2008 and  
15      each of the 5 succeeding fiscal years.

16   **“PART D—ADDITIONAL CAPACITY FOR R.N. STU-**  
17       **DENTS OR GRADUATE-LEVEL NURSING STU-**  
18       **DENTS**

19   **“SEC. 826. ADDITIONAL CAPACITY FOR R.N. STUDENTS OR**  
20       **GRADUATE-LEVEL NURSING STUDENTS.**

21      ~~“(a) AUTHORIZATION.—~~The Secretary shall award  
22      grants to institutions of higher education that offer—

23           ~~“(1) a R.N. nursing program at the baccalaureate or~~  
24      laureate or associate degree level to enable such pro-  
25      gram to expand the faculty and facilities of such

1 program to accommodate additional R.N. nursing  
 2 program students; or

3 “(2) a graduate-level nursing program to ac-  
 4 commodate advanced practice degrees for R.N.s or  
 5 to accommodate students enrolled in a graduate-level  
 6 nursing program to provide teachers of nursing stu-  
 7 dents.

8 “(b) DETERMINATION OF NUMBER OF STUDENTS  
 9 AND APPLICATION.—Each institution of higher education  
 10 that offers a program described in subsection (a) that de-  
 11 sires to receive a grant under this section shall—

12 “(1) determine for the 4 academic years pre-  
 13 ceeding the academic year for which the determina-  
 14 tion is made the average number of matriculated  
 15 nursing program students at such institution for  
 16 such academic years; and

17 “(2) submit an application to the Secretary at  
 18 such time, in such manner, and accompanied by  
 19 such information as the Secretary may require, in-  
 20 cluding the average number determined under para-  
 21 graph (1).

22 “(c) GRANT AMOUNT; AWARD BASIS.—

23 “(1) GRANT AMOUNT.—For each academic year  
 24 after academic year 2006–2007, the Secretary shall  
 25 provide to each institution of higher education



1 awarded a grant under this section an amount that  
 2 is equal to \$3,000 multiplied by the number of ma-  
 3 triculated nursing program students at such institu-  
 4 tion for such academic year that is more than the  
 5 average number determined with respect to such in-  
 6 stitution under subsection (b)(1). Such amount shall  
 7 be used for the purposes described in subsection (a).

8 “(2) DISTRIBUTION OF GRANTS AMONG DIFF-  
 9 FERENT DEGREE PROGRAMS.—

10 “(A) IN GENERAL.—Subject to subpara-  
 11 graph (B), from the funds available to award  
 12 grants under this section for each fiscal year,  
 13 the Secretary shall—

14 “(i) use 20 percent of such funds to  
 15 award grants under this section to institu-  
 16 tions of higher education for the purpose  
 17 of accommodating advanced practice de-  
 18 grees or students in graduate-level nursing  
 19 programs;

20 “(ii) use 40 percent of such funds to  
 21 award grants under this section to institu-  
 22 tions of higher education for the purpose  
 23 of expanding R.N. nursing programs at the  
 24 baccalaureate degree level; and

1           “(iii) use 40 percent of such funds to  
 2           award grants under this section to institu-  
 3           tions of higher education for the purpose  
 4           of expanding R.N. nursing programs at the  
 5           associate degree level.

6           “(B) DISTRIBUTION OF EXCESS FUNDS.—

7           If, for a fiscal year, funds described in clause  
 8           (i), (ii), or (iii) of subparagraph (A) remain  
 9           after the Secretary awards grants under this  
 10          section to all applicants for the particular cat-  
 11          egory of nursing programs described in such  
 12          clause, the Secretary shall use equal amounts of  
 13          the remaining funds to award grants under this  
 14          section to applicants for the remaining cat-  
 15          egories of nursing programs.

16          “(C) EQUITABLE DISTRIBUTION.—In  
 17          awarding grants under this section, the Sec-  
 18          retary shall, to the extent practicable, ensure—

19               “(i) an equitable geographic distribu-  
 20               tion of the grants among the States; and

21               “(ii) an equitable distribution of the  
 22               grants among different types of institu-  
 23               tions of higher education.

24          “(d) PROHIBITION.—

1           ~~“(1) IN GENERAL.—Funds provided under this~~  
 2           ~~section may not be used for the construction of new~~  
 3           ~~facilities.~~

4           ~~“(2) RULE OF CONSTRUCTION.—Nothing in~~  
 5           ~~paragraph (1) shall be construed to prohibit funds~~  
 6           ~~provided under this section from being used for the~~  
 7           ~~repair or renovation of facilities.~~

8           ~~“(e) AUTHORIZATION OF APPROPRIATIONS.—There~~  
 9           ~~are authorized to be appropriated to carry out this section~~  
 10          ~~such sums as may be necessary.~~

11          **~~“PART E—AMERICAN HISTORY FOR FREEDOM~~**

12          **~~“SEC. 831. AMERICAN HISTORY FOR FREEDOM.~~**

13          ~~“(a) GRANTS AUTHORIZED.—The Secretary is au-~~  
 14          ~~thorized to award 3-year grants, on a competitive basis,~~  
 15          ~~to eligible institutions to establish or strengthen postsec-~~  
 16          ~~ondary academic programs or centers that promote and~~  
 17          ~~impart knowledge of—~~

18                 ~~“(1) traditional American history;~~

19                 ~~“(2) the history and nature of, and threats to,~~  
 20          ~~free institutions; or~~

21                 ~~“(3) the history and achievements of Western~~  
 22          ~~civilization.~~

23          ~~“(b) DEFINITIONS.—In this section:~~

1           “(1) ELIGIBLE INSTITUTION.—The term ‘eligi-  
2           ble institution’ means an institution of higher edu-  
3           cation as defined in section 101.

4           “(2) FREE INSTITUTION.—The term ‘free insti-  
5           tution’ means an institution that emerged out of  
6           Western civilization, such as democracy, constitu-  
7           tional government, individual rights, market econom-  
8           ies, religious freedom and religious tolerance, and  
9           freedom of thought and inquiry.

10          “(3) TRADITIONAL AMERICAN HISTORY.—The  
11          term ‘traditional American history’ means—

12               “(A) the significant constitutional, polit-  
13               ical, intellectual, economic, and foreign policy  
14               trends and issues that have shaped the course  
15               of American history; and

16               “(B) the key episodes, turning points, and  
17               leading figures involved in the constitutional,  
18               political, intellectual, diplomatic, and economic  
19               history of the United States.

20          “(c) APPLICATION.—

21               “(1) IN GENERAL.—Each eligible institution  
22               that desires a grant under this part shall submit an  
23               application to the Secretary at such time, in such  
24               manner, and accompanied by such additional infor-  
25               mation as the Secretary may require.

1           “(2) CONTENTS.—Each application submitted  
2       under subsection (a) shall include a description of —

3           “(A) how funds made available under this  
4       part will be used for the activities set forth  
5       under subsection (e), including how such activi-  
6       ties will increase knowledge with respect to tra-  
7       ditional American history, free institutions, or  
8       Western civilization;

9           “(B) how the eligible institution will ensure  
10      that information about the activities funded  
11      under this part is widely disseminated pursuant  
12      to subsection (e)(1)(B);

13          “(C) any activities to be undertaken pursu-  
14      ant to subsection (e)(2)(A), including identifica-  
15      tion of entities intended to participate;

16          “(D) how funds made available under this  
17      part shall be used to supplement and not sup-  
18      plant non-Federal funds available for the activi-  
19      ties described in subsection (e); and

20          “(E) such fiscal controls and accounting  
21      procedures as may be necessary to ensure prop-  
22      er disbursement of and accounting for funding  
23      made available to the eligible institution under  
24      this part.

1       “(d) AWARD BASIS.—In awarding grants under this  
 2 part, the Secretary shall take into consideration the capa-  
 3 bility of the eligible institution to—

4           “(1) increase access to quality programming  
 5 that expands knowledge of traditional American his-  
 6 tory, free institutions, or Western civilization;

7           “(2) involve personnel with strong expertise in  
 8 traditional American history, free institutions, or  
 9 Western civilization; and

10          “(3) sustain the activities funded under this  
 11 part after the grant has expired.

12       “(e) USE OF FUNDS.—

13           “(1) REQUIRED USE OF FUNDS.—Funds pro-  
 14 vided under this part shall be used to—

15           “(A) establish or strengthen academic pro-  
 16 grams or centers focused on traditional Amer-  
 17 ican history, free institutions, or Western civili-  
 18 zation, which may include—

19           “(i) design and implementation of  
 20 programs of study, courses, lecture series,  
 21 seminars, and symposia;

22           “(ii) development, publication, and  
 23 dissemination of instructional materials;

24           “(iii) research;

1                   “(iv) support for faculty teaching in  
2                   undergraduate and, if applicable, graduate  
3                   programs;

4                   “(v) support for graduate and post-  
5                   graduate fellowships, if applicable; or

6                   “(vi) teacher preparation initiatives  
7                   that stress content mastery regarding tra-  
8                   ditional American history, free institutions,  
9                   or Western civilization; and

10                  “(B) conduct outreach activities to ensure  
11                  that information about the activities funded  
12                  under this part is widely disseminated—

13                   “(i) to undergraduate students (in-  
14                   cluding students enrolled in teacher edu-  
15                   cation programs, if applicable);

16                   “(ii) to graduate students (including  
17                   students enrolled in teacher education pro-  
18                   grams); if applicable;

19                   “(iii) to faculty;

20                   “(iv) to local educational agencies;

21                   and

22                   “(v) within the local community.

23                  “(2) ALLOWABLE USES OF FUNDS.—Funds  
24                  provided under this part may be used to support—

25                   “(A) collaboration with entities such as—

1                   “(i) local educational agencies, for the  
 2                   purpose of providing elementary, middle  
 3                   and secondary school teachers an oppor-  
 4                   tunity to enhance their knowledge of tradi-  
 5                   tional American history, free institutions,  
 6                   or Western civilization; and

7                   “(ii) nonprofit organizations whose  
 8                   mission is consistent with the purpose of  
 9                   this part, such as academic organizations,  
 10                  museums, and libraries, for assistance in  
 11                  carrying out activities described under sub-  
 12                  section (a); and

13                  “(B) other activities that meet the pur-  
 14                  poses of this part.

15                  “(f) AUTHORIZATION OF APPROPRIATIONS.—For the  
 16                  purpose of carrying out this part, there are authorized to  
 17                  be appropriated such sums as may be necessary for fiscal  
 18                  year 2008 and each of the 5 succeeding fiscal years.

19                   **“PART F—TEACH FOR AMERICA**

20                  **“SEC. 836. TEACH FOR AMERICA.**

21                  “(a) DEFINITIONS.—

22                   “(1) IN GENERAL.—The terms ‘highly quali-  
 23                  fied’, ‘local educational agency’, and ‘Secretary’ have  
 24                  the meanings given the terms in section 9101 of the



1       Elementary and Secondary Education Act of 1965  
2       (20 U.S.C. 7801).

3           ~~“(2) GRANTEE.—The term ‘grantee’ means~~  
4       ~~Teach For America, Inc.~~

5           ~~“(3) HIGH NEED.—The term ‘high need’, when~~  
6       ~~used with respect to a local educational agency;~~  
7       ~~means a local educational agency experiencing a~~  
8       ~~shortage of highly qualified teachers.~~

9           ~~“(b) GRANTS AUTHORIZED.—The Secretary is au-~~  
10      ~~thorized to award a grant to Teach For America, Inc.;~~  
11      ~~the national teacher corps of outstanding recent college~~  
12      ~~graduates who commit to teach for 2 years in underserved~~  
13      ~~communities in the United States; to implement and ex-~~  
14      ~~pand its program of recruiting, selecting, training, and~~  
15      ~~supporting new teachers.~~

16          ~~“(c) REQUIREMENTS.—In carrying out the grant pro-~~  
17      ~~gram under subsection (b), the Secretary shall enter into~~  
18      ~~an agreement with the grantee under which the grantee~~  
19      ~~agrees to use the grant funds provided under this sec-~~  
20      ~~tion—~~

21           ~~“(1) to provide highly qualified teachers to high~~  
22      ~~need local educational agencies in urban and rural~~  
23      ~~communities;~~

24           ~~“(2) to pay the cost of recruiting, selecting,~~  
25      ~~training, and supporting new teachers; and~~

1           ~~“(3) to serve a substantial number and percent-~~  
 2           ~~age of underserved students.~~

3           ~~“(d) AUTHORIZED ACTIVITIES.—~~

4           ~~“(1) IN GENERAL.—Grant funds provided~~  
 5           ~~under this section shall be used by the grantee to~~  
 6           ~~carry out each of the following activities:~~

7                   ~~“(A) Recruiting and selecting teachers~~  
 8                   ~~through a highly selective national process.~~

9                   ~~“(B) Providing preservice training to the~~  
 10                   ~~teachers through a rigorous summer institute~~  
 11                   ~~that includes hands-on teaching experience and~~  
 12                   ~~significant exposure to education coursework~~  
 13                   ~~and theory.~~

14                   ~~“(C) Placing the teachers in schools and~~  
 15                   ~~positions designated by partner local edu-~~  
 16                   ~~cational agencies as high need placements serv-~~  
 17                   ~~ing underserved students.~~

18                   ~~“(D) Providing ongoing professional devel-~~  
 19                   ~~opment activities for the teachers’ first 2 years~~  
 20                   ~~in the classroom, including regular classroom~~  
 21                   ~~observations and feedback, and ongoing train-~~  
 22                   ~~ing and support.~~

23           ~~“(2) LIMITATION.—The grantee shall use all~~  
 24           ~~grant funds received under this section to support~~  
 25           ~~activities related directly to the recruitment, selec-~~

tion, training, and support of teachers as described  
in subsection (a).

~~“(e) REPORTS AND EVALUATIONS.—~~

~~“(1) ANNUAL REPORT.—~~The grantee shall provide to the Secretary an annual report that includes—

~~“(A) data on the number and quality of the teachers provided to local educational agencies through a grant under this section;~~

~~“(B) an externally conducted analysis of the satisfaction of local educational agencies and principals with the teachers so provided; and~~

~~“(C) comprehensive data on the background of the teachers chosen, the training the teachers received, the placement sites of the teachers, the professional development of the teachers, and the retention of the teachers.~~

~~“(2) STUDY.—~~

~~“(A) IN GENERAL.—~~From funds appropriated under subsection (f), the Secretary shall provide for a study that examines the achievement levels of the students taught by the teachers assisted under this section.

1                   “(B) ACHIEVEMENT GAINS COMPARED.—

2                   The study shall compare, within the same  
3                   schools, the achievement gains made by stu-  
4                   dents taught by teachers who are assisted  
5                   under this section with the achievement gains  
6                   made by students taught by teachers who are  
7                   not assisted under this section.

8                   “(3) REQUIREMENTS.—The Secretary shall  
9                   provide for such a study not less than once every 3  
10                  years, and each such study shall include multiple  
11                  placement sites and multiple schools within place-  
12                  ment sites.

13                  “(4) PEER REVIEW STANDARDS.—Each such  
14                  study shall meet the peer review standards of the  
15                  education research community.

16                  “(f) AUTHORIZATION OF APPROPRIATIONS.—

17                  “(1) IN GENERAL.—There are authorized to be  
18                  appropriated to carry out this section such sums as  
19                  may be necessary for fiscal year 2008 and each of  
20                  the 5 succeeding fiscal years.

21                  “(2) LIMITATION.—The grantee shall not use  
22                  more than 25 percent of Federal funds from any  
23                  source for administrative costs.

1 **“PART G—PATSY T. MINK FELLOWSHIP PROGRAM**

2 **“SEC. 841. PATSY T. MINK FELLOWSHIP PROGRAM.**

3 **“(a) PURPOSE.—**

4 **“(1) IN GENERAL.—**It is the purpose of this  
 5 section to provide, through eligible institutions, a  
 6 program of fellowship awards to assist highly quali-  
 7 fied minorities and women to acquire the doctoral  
 8 degree, or highest possible degree available, in aca-  
 9 demic areas in which such individuals are underrep-  
 10 resented for the purpose of enabling such individuals  
 11 to enter the higher education professoriate.

12 **“(2) DESIGNATION.—**Each recipient of a fellow-  
 13 ship award from an eligible institution receiving a  
 14 grant under this section shall be known as a ‘Patsy  
 15 T. Mink Graduate Fellow’.

16 **“(b) DEFINITIONS.—**In this section, the term ‘eligible  
 17 institution’ means an institution of higher education, or  
 18 a consortium of such institutions, that offers a program  
 19 of postbaccalaureate study leading to a graduate degree.

20 **“(c) PROGRAM AUTHORIZED.—**

21 **“(1) GRANTS BY SECRETARY.—**

22 **“(A) IN GENERAL.—**The Secretary shall  
 23 award grants to eligible institutions to enable  
 24 such institutions to make fellowship awards to  
 25 individuals in accordance with the provisions of  
 26 this section.

1           “(B) PRIORITY CONSIDERATION.—In  
 2           awarding grants under this section, the Sec-  
 3           retary shall consider the eligible institution’s  
 4           prior experience in producing doctoral degree,  
 5           or highest possible degree available, holders who  
 6           are minorities and women, and shall give pri-  
 7           ority consideration in making grants under this  
 8           section to those eligible institutions with a dem-  
 9           onstrated record of producing minorities and  
 10          women who have earned such degrees.

11          “(2) APPLICATIONS.—

12           “(A) IN GENERAL.—An eligible institution  
 13           that desires a grant under this section shall  
 14           submit an application to the Secretary at such  
 15           time, in such manner, and containing such in-  
 16           formation as the Secretary may require.

17           “(B) APPLICATIONS MADE ON BEHALF.—

18           “(i) IN GENERAL.—The following en-  
 19           tities may submit an application on behalf  
 20           of an eligible institution:

21                   “(I) A graduate school or depart-  
 22                   ment of such institution.

23                   “(II) A graduate school or de-  
 24                   partment of such institution in col-

1           laboration with an undergraduate col-  
2           lege or university of such institution.

3           ~~“(III) An organizational unit~~  
4           within such institution that offers a  
5           program of postbaccalaureate study  
6           leading to a graduate degree, includ-  
7           ing an interdisciplinary or an inter-  
8           departmental program.

9           ~~“(IV) A nonprofit organization~~  
10          with a demonstrated record of helping  
11          minorities and women earn  
12          postbaccalaureate degrees.

13          ~~“(ii) NONPROFIT ORGANIZATIONS.—~~  
14          Nothing in this paragraph shall be con-  
15          strued to permit the Secretary to award a  
16          grant under this section to an entity other  
17          than an eligible institution.

18          ~~“(3) SELECTION OF APPLICATIONS.—In award-~~  
19          ing grants under subsection (a), the Secretary  
20          shall—

21                 ~~“(A) take into account—~~

22                         ~~“(i) the number and distribution of~~  
23                         minority and female faculty nationally;

1           “(ii) the current and projected need  
2           for highly trained individuals in all areas  
3           of the higher education professoriate; and

4           “(iii) the present and projected need  
5           for highly trained individuals in academic  
6           career fields in which minorities and  
7           women are underrepresented in the higher  
8           education professoriate; and

9           “(B) consider the need to prepare a large  
10          number of minorities and women generally in  
11          academic career fields of high national priority,  
12          especially in areas in which such individuals are  
13          traditionally underrepresented in college and  
14          university faculty.

15          “(4)   DISTRIBUTION   AND   AMOUNTS   OF  
16          GRANTS.—

17               “(A)   EQUITABLE   DISTRIBUTION.—In  
18          awarding grants under this section, the Sec-  
19          retary shall, to the maximum extent feasible,  
20          ensure an equitable geographic distribution of  
21          awards and an equitable distribution among  
22          public and independent eligible institutions that  
23          apply for grants under this section and that  
24          demonstrate an ability to achieve the purpose of  
25          this section.



1           “(B) SPECIAL RULE.—To the maximum  
2           extent practicable, the Secretary shall use not  
3           less than 30 percent of the amount appro-  
4           priated pursuant to subsection (f) to award  
5           grants to eligible institutions that—

6                   “(i) are eligible for assistance under  
7                   title III or title V; or

8                   “(ii) have formed a consortium that  
9                   includes both non-minority serving institu-  
10                  tions and minority serving institutions.

11           “(C) ALLOCATION.—In awarding grants  
12           under this section, the Secretary shall allocate  
13           appropriate funds to those eligible institutions  
14           whose applications indicate an ability to signifi-  
15           cantly increase the numbers of minorities and  
16           women entering the higher education professo-  
17           riate and that commit institutional resources to  
18           the attainment of the purpose of this section.

19           “(D) NUMBER OF FELLOWSHIP  
20           AWARDS.—An eligible institution that receives a  
21           grant under this section shall make not less  
22           than 15 fellowship awards.

23           “(E) REALLOTMENT.—If the Secretary de-  
24           termines that an eligible institution awarded a  
25           grant under this section is unable to use all of

the grant funds awarded to the institution; the Secretary shall reallocate, on such date during each fiscal year as the Secretary may fix, the unused funds to other eligible institutions that demonstrate that such institutions can use any reallocated grant funds to make fellowship awards to individuals under this section.

~~“(5) INSTITUTIONAL ALLOWANCE.—~~

~~“(A) IN GENERAL.—~~

~~“(i) NUMBER OF ALLOWANCES.—In awarding grants under this section, the Secretary shall pay to each eligible institution awarded a grant, for each individual awarded a fellowship by such institution under this section, an institutional allowance.~~

~~“(ii) AMOUNT.—Except as provided in paragraph (3), an institutional allowance shall be in an amount equal to, for academic year 2007–2008 and succeeding academic years, the amount of institutional allowance made to an institution of higher education under section 715 for such academic year.~~

1           “(B) USE OF FUNDS.—Institutional allow-  
 2           ances may be expended in the discretion of the  
 3           eligible institution and may be used to provide,  
 4           except as prohibited under paragraph (4), aca-  
 5           demic support and career transition services for  
 6           individuals awarded fellowships by such institu-  
 7           tion.

8           “(C) REDUCTION.—The institutional al-  
 9           lowance paid under paragraph (1) shall be re-  
 10          duced by the amount the eligible institution  
 11          charges and collects from a fellowship recipient  
 12          for tuition and other expenses as part of the re-  
 13          cipient’s instructional program.

14          “(D) USE FOR OVERHEAD PROHIBITED.—  
 15          Funds made available under this section may  
 16          not be used for general operational overhead of  
 17          the academic department or institution receiv-  
 18          ing funds under this section.

19          “(d) FELLOWSHIP RECIPIENTS.—

20          “(1) AUTHORIZATION.—An eligible institution  
 21          that receives a grant under this section shall use the  
 22          grant funds to make fellowship awards to minorities  
 23          and women who are enrolled at such institution in  
 24          a doctoral degree, or highest possible degree avail-  
 25          able, program and—

1           “(A) intend to pursue a career in instruc-  
2           tion at—

3                   “(i) an institution of higher education  
4                   (as the term is defined in section 101);

5                   “(ii) an institution of higher education  
6                   (as the term is defined in section  
7                   102(a)(1));

8                   “(iii) an institution of higher edu-  
9                   cation outside the United States (as the  
10                  term is described in section 102(a)(2)); or

11                  “(iv) a proprietary institution of high-  
12                  er education (as the term is defined in sec-  
13                  tion 102(b)); and

14           “(B) sign an agreement with the Secretary  
15           agreeing—

16                   “(i) to begin employment at an insti-  
17                   tution described in paragraph (1) not later  
18                   than 3 years after receiving the doctoral  
19                   degree or highest possible degree available;  
20                   which 3-year period may be extended by  
21                   the Secretary for extraordinary cir-  
22                   cumstances; and

23                   “(ii) to be employed by such institu-  
24                   tion for 1 year for each year of fellowship  
25                   assistance received under this section.

1           ~~“(2) FAILURE TO COMPLY.—If an individual~~  
 2           ~~who receives a fellowship award under this section~~  
 3           ~~fails to comply with the agreement signed pursuant~~  
 4           ~~to subsection (a)(2), then the Secretary shall do 1~~  
 5           ~~or both of the following:~~

6                   ~~“(A) Require the individual to repay all or~~  
 7                   ~~the applicable portion of the total fellowship~~  
 8                   ~~amount awarded to the individual by converting~~  
 9                   ~~the balance due to a loan at the interest rate~~  
 10                   ~~applicable to loans made under part B of title~~  
 11                   ~~IV.~~

12                   ~~“(B) Impose a fine or penalty in an~~  
 13                   ~~amount to be determined by the Secretary.~~

14           ~~“(3) WAIVER AND MODIFICATION.—~~

15                   ~~“(A) REGULATIONS.—The Secretary shall~~  
 16                   ~~promulgate regulations setting forth criteria to~~  
 17                   ~~be considered in granting a waiver for the serv-~~  
 18                   ~~ice requirement under subsection (a)(2).~~

19                   ~~“(B) CONTENT.—The criteria under para-~~  
 20                   ~~graph (1) shall include whether compliance with~~  
 21                   ~~the service requirement by the fellowship recipi-~~  
 22                   ~~ent would be—~~

23                           ~~“(i) inequitable and represent an ex-~~  
 24                           ~~traordinary hardship; or~~

1                   “(ii) deemed impossible because the  
2                   individual is permanently and totally dis-  
3                   abled at the time of the waiver request.

4                   “(4) AMOUNT OF FELLOWSHIP AWARDS.—Fel-  
5                   lowship awards under this section shall consist of a  
6                   stipend in an amount equal to the level of support  
7                   provided to the National Science Foundation grad-  
8                   uate fellows, except that such stipend shall be ad-  
9                   justed as necessary so as not to exceed the fellow’s  
10                  tuition and fees or demonstrated need (as deter-  
11                  mined by the institution of higher education where  
12                  the graduate student is enrolled); whichever is great-  
13                  er.

14                  “(5) ACADEMIC PROGRESS REQUIRED.—An in-  
15                  dividual student shall not be eligible to receive a fel-  
16                  lowship award—

17                         “(A) except during periods in which such  
18                         student is enrolled, and such student is main-  
19                         taining satisfactory academic progress in, and  
20                         devoting essentially full time to, study or re-  
21                         search in the pursuit of the degree for which  
22                         the fellowship support was awarded; and

23                         “(B) if the student is engaged in gainful  
24                         employment, other than part-time employment  
25                         in teaching, research, or similar activity deter-

1           mined by the eligible institution to be consistent  
 2           with and supportive of the student's progress  
 3           toward the appropriate degree.

4       “(e) **RULE OF CONSTRUCTION.**—Nothing in this sec-  
 5 tion shall be construed to require an eligible institution  
 6 that receives a grant under this section—

7           “(1) to grant a preference or to differentially  
 8       treat any applicant for a faculty position as a result  
 9       of the institution's participation in the program  
 10      under this section; or

11          “(2) to hire a Patsy T. Mink Fellow who com-  
 12      pletes this program and seeks employment at such  
 13      institution.

14      “(f) **AUTHORIZATION OF APPROPRIATIONS.**—There  
 15 is authorized to be appropriated to carry out this section  
 16 such sums as may be necessary for fiscal year 2008 for  
 17 each of the 5 succeeding fiscal years.

18      **“PART H—IMPROVING COLLEGE ENROLLMENT**

19                      **BY SECONDARY SCHOOLS**

20      **“SEC. 846. IMPROVING COLLEGE ENROLLMENT BY SEC-**  
 21                      **ONDARY SCHOOLS.**

22      “(a) **IN GENERAL.**—The Secretary shall contract  
 23 with 1 nonprofit organization described in subsection (b)  
 24 to enable the nonprofit organization—

1           “(1) to make publicly available the year-to-year  
2           higher education enrollment rate trends of secondary  
3           school students, disaggregated by secondary school,  
4           in full compliance with the Family Education Rights  
5           and Privacy Act of 1974;

6           “(2) to identify not less than 50 urban local  
7           educational agencies and 5 States with significant  
8           rural populations, each serving a significant popu-  
9           lation of low-income students, and to carry out a  
10          comprehensive needs assessment in the agencies and  
11          States of the factors known to contribute to im-  
12          proved higher education enrollment rates, which fac-  
13          tors shall include—

14               “(A) an evaluation of the local educational  
15               agency’s and State’s leadership strategies;

16               “(B) the secondary school curriculum and  
17               class offerings of the local educational agency  
18               and State;

19               “(C) the professional development used by  
20               the local educational agency and the State to  
21               assist teachers, higher education counselors,  
22               and administrators in supporting the transition  
23               of secondary students into higher education;



1           ~~“(D) secondary school student attendance~~  
2           ~~and other factors demonstrated to be associated~~  
3           ~~with enrollment into higher education;~~

4           ~~“(E) the data systems used by the local~~  
5           ~~educational agency and the State to measure~~  
6           ~~college enrollment rates and the incentives in~~  
7           ~~place to motivate the efforts of faculty and stu-~~  
8           ~~dents to improve student and school-wide out-~~  
9           ~~comes; and~~

10           ~~“(F) strategies to mobilize student leaders~~  
11           ~~to build a college-bound culture; and~~

12           ~~“(3) to provide comprehensive services to im-~~  
13           ~~prove the school-wide higher education enrollment~~  
14           ~~rates of each of not less than 10 local educational~~  
15           ~~agencies and States; with the federally funded por-~~  
16           ~~tion of each project declining by not less than 20~~  
17           ~~percent each year beginning in the second year of~~  
18           ~~the comprehensive services; that—~~

19           ~~“(A) participated in the needs assessment~~  
20           ~~described in paragraph (2); and~~

21           ~~“(B) demonstrated a willingness and com-~~  
22           ~~mitment to improving the higher education en-~~  
23           ~~rollment rates of the local educational agency or~~  
24           ~~State; respectively.~~

1       “(b) GRANT RECIPIENT CRITERIA.—The recipient of  
 2 the grant awarded under subsection (a) shall be a non-  
 3 profit organization with demonstrated expertise—

4           “(1) in increasing school-wide higher education  
 5 enrollment rates in low-income communities nation-  
 6 wide by providing curriculum, training, and technical  
 7 assistance to secondary school staff and student peer  
 8 influencers; and

9           “(2) in a college transition data management  
 10 system.

11       “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
 12 are authorized to be appropriated to carry out this section  
 13 such sums as are necessary for fiscal year 2008 and each  
 14 of the 5 succeeding fiscal years.

15 **“PART I—PREDOMINANTLY BLACK INSTITUTIONS**

16 **“SEC. 850. PREDOMINANTLY BLACK INSTITUTIONS.**

17       “(a) PURPOSE.—It is the purpose of this section to  
 18 assist Predominantly Black Institutions in expanding edu-  
 19 cational opportunity through a program of Federal assist-  
 20 ance.

21       “(b) DEFINITIONS.—In this section:

22           “(1) EDUCATIONAL AND GENERAL EXPENDI-  
 23 TURES.—The term ‘educational and general expendi-  
 24 tures’ has the meaning given the term in section  
 25 312.

1           “(2) ELIGIBLE INSTITUTION.—The term ‘eligi-  
2       ble institution’ means an institution of higher edu-  
3       cation that—

4           “(A) has an enrollment of needy under-  
5       graduate students;

6           “(B) has an average educational and gen-  
7       eral expenditure which is low, per full-time  
8       equivalent undergraduate student in comparison  
9       with the average educational and general ex-  
10      penditure per full-time equivalent under-  
11      graduate student of institutions that offer simi-  
12      lar instruction, except that the Secretary may  
13      apply the waiver requirements described in sec-  
14      tion 392(b) to this subparagraph in the same  
15      manner as the Secretary applies the waiver re-  
16      quirements to section 312(b)(1)(B);

17          “(C) has an enrollment of undergraduate  
18      students that is not less than 40 percent Black  
19      American students;

20          “(D) is legally authorized to provide, and  
21      provides within the State, an educational pro-  
22      gram for which the institution of higher edu-  
23      cation awards a baccalaureate degree, or in the  
24      case of a junior or community college, an asso-  
25      ciate’s degree; and

1           “(E) is accredited by a nationally recog-  
 2           nized accrediting agency or association deter-  
 3           mined by the Secretary to be a reliable author-  
 4           ity as to the quality of training offered, or is,  
 5           according to such an agency or association,  
 6           making reasonable progress toward accredita-  
 7           tion.

8           “(3) ENDOWMENT FUND.—The term ‘endow-  
 9           ment fund’ has the meaning given the term in sec-  
 10          tion 312.

11          “(4) ENROLLMENT OF NEEDY STUDENTS.—  
 12          The term ‘enrollment of needy students’ means the  
 13          enrollment at an eligible institution with respect to  
 14          which not less than 50 percent of the undergraduate  
 15          students enrolled in an academic program leading to  
 16          a degree—

17                 “(A) in the second fiscal year preceding  
 18                 the fiscal year for which the determination is  
 19                 made, were Federal Pell Grant recipients for  
 20                 such year;

21                 “(B) come from families that receive bene-  
 22                 fits under a means-tested Federal benefit pro-  
 23                 gram;

24                 “(C) attended a public or nonprofit private  
 25                 secondary school—

1 “(i) that is in the school district of a  
 2 local educational agency that was eligible  
 3 for assistance under part A of title I of the  
 4 Elementary and Secondary Education Act  
 5 of 1965 for any year during which the stu-  
 6 dent attended such secondary school; and

7 “(ii) which for the purpose of this  
 8 paragraph and for that year was deter-  
 9 mined by the Secretary (pursuant to regu-  
 10 lations and after consultation with the  
 11 State educational agency of the State in  
 12 which the school is located) to be a school  
 13 in which the enrollment of children counted  
 14 under section 1113(a)(5) of such Act ex-  
 15 ceeds 30 percent of the total enrollment of  
 16 such school; or

17 “(D) are first-generation college students  
 18 and a majority of such first-generation college  
 19 students are low-income individuals.

20 “(5) FIRST GENERATION COLLEGE STUDENT.—

21 The term ‘first generation college student’ has the  
 22 meaning given the term in section 402A(g).

23 “(6) LOW-INCOME INDIVIDUAL.—The term  
 24 ‘low-income individual’ has the meaning given such  
 25 term in section 402A(g).

1           ~~“(7) MEANS-TESTED FEDERAL BENEFIT PRO-~~  
 2           ~~GRAM.—The term ‘means-tested Federal benefit pro-~~  
 3           ~~gram’ means a program of the Federal Government,~~  
 4           ~~other than a program under title IV, in which eligi-~~  
 5           ~~bility for the program’s benefits, or the amount of~~  
 6           ~~such benefits, are determined on the basis of income~~  
 7           ~~or resources of the individual or family seeking the~~  
 8           ~~benefit.~~

9           ~~“(8) PREDOMINANTLY BLACK INSTITUTION.—~~  
 10          ~~The term ‘Predominantly Black Institution’ means~~  
 11          ~~an institution of higher education, as defined in sec-~~  
 12          ~~tion 101(a)—~~

13                 ~~“(A) that is an eligible institution with not~~  
 14                 ~~less than 1,000 undergraduate students;~~

15                 ~~“(B) at which not less than 50 percent of~~  
 16                 ~~the undergraduate students enrolled at the eli-~~  
 17                 ~~gible institution are low-income individuals or~~  
 18                 ~~first generation college students; and~~

19                 ~~“(C) at which not less than 50 percent of~~  
 20                 ~~the undergraduate students are enrolled in an~~  
 21                 ~~educational program leading to a bachelor’s or~~  
 22                 ~~associate’s degree that the eligible institution is~~  
 23                 ~~licensed to award by the State in which the eli-~~  
 24                 ~~gible institution is located.~~

1           “(9) STATE.—The term ‘State’ means each of  
2           the 50 States and the District of Columbia.

3           ~~“(e) GRANT AUTHORITY.—~~

4           ~~“(1) IN GENERAL.—The Secretary is authorized~~  
5           ~~to award grants, from allotments under subsection~~  
6           ~~(e), to Predominantly Black Institutions to enable~~  
7           ~~the Predominantly Black Institutions to carry out~~  
8           ~~the authorized activities described in subsection (d).~~

9           ~~“(2) PRIORITY.—In awarding grants under this~~  
10          ~~section the Secretary shall give priority to Predomi-~~  
11          ~~nantly Black Institutions with large numbers or per-~~  
12          ~~centages of students described in subsections~~  
13          ~~(b)(2)(A) or (b)(2)(C). The level of priority given to~~  
14          ~~Predominantly Black Institutions with large num-~~  
15          ~~bers or percentages of students described in sub-~~  
16          ~~section (b)(2)(A) shall be twice the level of priority~~  
17          ~~given to Predominantly Black Institutions with large~~  
18          ~~numbers or percentages of students described in~~  
19          ~~subsection (b)(2)(C).~~

20          ~~“(d) AUTHORIZED ACTIVITIES.—~~

21          ~~“(1) REQUIRED ACTIVITIES.—Grant funds pro-~~  
22          ~~vided under this section shall be used—~~

23                  ~~“(A) to assist the Predominantly Black In-~~  
24                  ~~stitution to plan, develop, undertake, and imple-~~  
25                  ~~ment programs to enhance the institution’s ea-~~

1           pacity to serve more low- and middle-income  
2           Black American students;

3           ~~“(B) to expand higher education opportu-~~  
4           ~~nities for students eligible to participate in pro-~~  
5           ~~grams under title IV by encouraging college~~  
6           ~~preparation and student persistence in sec-~~  
7           ~~ondary school and postsecondary education; and~~

8           ~~“(C) to strengthen the financial ability of~~  
9           ~~the Predominantly Black Institution to serve~~  
10          ~~the academic needs of the students described in~~  
11          ~~subparagraphs (A) and (B).~~

12          ~~“(2) ADDITIONAL ACTIVITIES.—Grant funds~~  
13          ~~provided under this section shall be used for 1 or~~  
14          ~~more of the following activities:~~

15                 ~~“(A) The activities described in paragraphs~~  
16                 ~~(1) through (11) of section 311(c).~~

17                 ~~“(B) Academic instruction in disciplines in~~  
18                 ~~which Black Americans are underrepresented.~~

19                 ~~“(C) Establishing or enhancing a program~~  
20                 ~~of teacher education designed to qualify stu-~~  
21                 ~~dents to teach in a public elementary school or~~  
22                 ~~secondary school in the State that shall include,~~  
23                 ~~as part of such program, preparation for teach-~~  
24                 ~~er certification or licensure.~~



1           “(D) Establishing community outreach  
 2 programs that will encourage elementary school  
 3 and secondary school students to develop the  
 4 academic skills and the interest to pursue post-  
 5 secondary education.

6           “(E) Other activities proposed in the appli-  
 7 cation submitted pursuant to subsection (f)  
 8 that—

9           “(i) contribute to carrying out the  
 10 purpose of this section; and

11           “(ii) are approved by the Secretary as  
 12 part of the review and approval of an ap-  
 13 plication submitted under subsection (f).

14           “(3) ENDOWMENT FUND.—

15           “(A) IN GENERAL.—A Predominantly  
 16 Black Institution may use not more than 20  
 17 percent of the grant funds provided under this  
 18 section to establish or increase an endowment  
 19 fund at the institution.

20           “(B) MATCHING REQUIREMENT.—In order  
 21 to be eligible to use grant funds in accordance  
 22 with subparagraph (A), a Predominantly Black  
 23 Institution shall provide matching funds from  
 24 non-Federal sources, in an amount equal to or  
 25 greater than the Federal funds used in accord-

1           ance with subparagraph (A), for the establish-  
2           ment or increase of the endowment fund.

3           ~~“(C) COMPARABILITY.—~~The provisions of  
4           part C of title III, regarding the establishment  
5           or increase of an endowment fund, that the  
6           Secretary determines are not inconsistent with  
7           this subsection, shall apply to funds used under  
8           subparagraph (A).

9           ~~“(4) LIMITATION.—~~Not more than 50 percent  
10          of the grant funds provided to a Predominantly  
11          Black Institution under this section may be available  
12          for the purpose of constructing or maintaining a  
13          classroom, library, laboratory, or other instructional  
14          facility.

15          ~~“(e) ALLOTMENTS TO PREDOMINANTLY BLACK IN-~~  
16          STITUTIONS.—

17          ~~“(1) FEDERAL PELL GRANT BASIS.—~~From the  
18          amounts appropriated to carry out this section for  
19          any fiscal year, the Secretary shall allot to each Pre-  
20          dominantly Black Institution having an application  
21          approved under subsection (f) a sum that bears the  
22          same ratio to one-half of that amount as the number  
23          of Federal Pell Grant recipients in attendance at  
24          such institution at the end of the academic year pre-  
25          ceding the beginning of that fiscal year, bears to the

1 total number of Federal Pell Grant recipients at all  
2 such institutions at the end of such academic year.

3 ~~“(2) GRADUATES BASIS.—~~From the amounts  
4 appropriated to carry out this section for any fiscal  
5 year, the Secretary shall allot to each Predominantly  
6 Black Institution having an application approved  
7 under subsection (f) a sum that bears the same ratio  
8 to one-fourth of that amount as the number of grad-  
9 uates for such academic year at such institution,  
10 bears to the total number of graduates for such aca-  
11 demic year at all such institutions.

12 ~~“(3) GRADUATES SEEKING A HIGHER DEGREE~~  
13 ~~BASIS.—~~From the amounts appropriated to carry  
14 out this section for any fiscal year, the Secretary  
15 shall allot to each Predominantly Black Institution  
16 having an application approved under subsection (f)  
17 a sum that bears the same ratio to one-fourth of  
18 that amount as the percentage of graduates from  
19 such institution who are admitted to and in attend-  
20 ance at, not later than 2 years after graduation with  
21 an associate’s degree or a baccalaureate degree, a  
22 baccalaureate degree-granting institution or a grad-  
23 uate or professional school in a degree program in  
24 disciplines in which Black American students are

1 underrepresented, bears to the percentage of such  
 2 graduates for all such institutions.

3 ~~“(4) MINIMUM ALLOTMENT.—~~

4 ~~“(A) IN GENERAL.—~~Notwithstanding  
 5 paragraphs (1), (2), and (3), the amount allot-  
 6 ted to each Predominantly Black Institution  
 7 under this section shall not be less than  
 8 \$250,000.

9 ~~“(B) INSUFFICIENT AMOUNT.—~~If the  
 10 amount appropriated pursuant to subsection (i)  
 11 for a fiscal year is not sufficient to pay the min-  
 12 imum allotment provided under subparagraph  
 13 (A) for the fiscal year, then the amount of such  
 14 minimum allotment shall be ratably reduced. If  
 15 additional sums become available for such fiscal  
 16 year, such reduced allotment shall be increased  
 17 on the same basis as the allotment was reduced  
 18 until the amount allotted equals the minimum  
 19 allotment required under subparagraph (A).

20 ~~“(5) REALLOTMENT.—~~The amount of a Pre-  
 21 dominantly Black Institution’s allotment under para-  
 22 graph (1), (2), (3), or (4) for any fiscal year that  
 23 the Secretary determines will not be required for  
 24 such institution for the period such allotment is  
 25 available, shall be available for reallotment to other

1        Predominantly Black Institutions in proportion to  
2        the original allotment to such other institutions  
3        under this section for such fiscal year. The Secretary  
4        shall reallocate such amounts from time to time, on  
5        such date and during such period as the Secretary  
6        determines appropriate.

7        “(f) APPLICATIONS.—Each Predominantly Black In-  
8        stitution desiring a grant under this section shall submit  
9        an application to the Secretary at such time, in such man-  
10       ner, and containing or accompanied by such information  
11       as the Secretary may reasonably require.

12       “(g) PROHIBITION.—No Predominantly Black Insti-  
13       tution that applies for and receives a grant under this sec-  
14       tion may apply for or receive funds under any other pro-  
15       gram under part A or part B of title III.

16       “(h) DURATION AND CARRYOVER.—Any grant funds  
17       paid to a Predominantly Black Institution under this sec-  
18       tion that are not expended or used for the purposes for  
19       which the funds were paid within 10 years following the  
20       date on which the grant was awarded, shall be repaid to  
21       the Treasury.

22       “(i) AUTHORIZATION OF APPROPRIATIONS.—There  
23       are authorized to be appropriated to carry out this section  
24       such sums as may be necessary for fiscal year 2008 and  
25       each of 5 succeeding fiscal years.

1 **~~“PART J—EARLY CHILDHOOD EDUCATION PRO-~~**  
2 **~~FESSIONAL DEVELOPMENT AND CAREER~~**  
3 **~~TASK FORCE~~**

4 **~~“SEC. 851. SHORT TITLE.~~**

5 ~~“This part may be cited as the ‘Early Childhood Edu-~~  
6 ~~cation Professional Development and Career Task Force~~  
7 ~~Act’.~~

8 **~~“SEC. 852. PURPOSE.~~**

9 ~~“It is the purpose of this part—~~

10 ~~“(1) to improve the quality of the early child-~~  
11 ~~hood education workforce by creating a statewide~~  
12 ~~early childhood education professional development~~  
13 ~~and career task force for early childhood education~~  
14 ~~program staff, directors, and administrators; and~~

15 ~~“(2) to create—~~

16 ~~“(A) a coherent system of core com-~~  
17 ~~petencies, pathways to qualifications, creden-~~  
18 ~~tials, degrees, quality assurances, access, and~~  
19 ~~outreach, for early childhood education program~~  
20 ~~staff, directors, and administrators, that is~~  
21 ~~linked to compensation commensurate with ex-~~  
22 ~~perience and qualifications;~~

23 ~~“(B) articulation agreements that enable~~  
24 ~~early childhood education professionals to tran-~~  
25 ~~sition easily among degrees; and~~

1           “(C) compensation initiatives for individ-  
2           uals working in an early childhood education  
3           program that reflect the individuals’ credentials;  
4           degrees, and experience.

5   **“SEC. 853. DEFINITION OF EARLY CHILDHOOD EDUCATION**  
6           **PROGRAM.**

7           “‘In this part, the term ‘early childhood education  
8   program’ means—

9           “(1) a family child care program, center-based  
10          child care program, State prekindergarten program,  
11          or school-based program, that—

12                  “(A) provides early childhood education;

13                  “(B) uses developmentally appropriate  
14          practices;

15                  “(C) is licensed or regulated by the State;  
16          and

17                  “(D) serves children from birth through  
18          age 5;

19           “(2) a Head Start Program carried out under  
20          the Head Start Act; or

21           “(3) an Early Head Start Program carried out  
22          under section 645A of the Head Start Act.

1 **~~“SEC. 854. GRANTS AUTHORIZED.~~**

2       ~~“(a) IN GENERAL.—The Secretary is authorized to~~  
 3 ~~award grants to States in accordance with the provisions~~  
 4 ~~of this part to enable such States—~~

5           ~~“(1) to establish a State Task Force described~~  
 6 ~~in section 855; and~~

7           ~~“(2) to support activities of the State Task~~  
 8 ~~Force described in section 856.~~

9       ~~“(b) COMPETITIVE BASIS.—Grants under this part~~  
 10 ~~shall be awarded on a competitive basis.~~

11       ~~“(c) EQUITABLE GEOGRAPHIC DISTRIBUTION.—In~~  
 12 ~~awarding grants under this part, the Secretary shall take~~  
 13 ~~into consideration providing an equitable geographic dis-~~  
 14 ~~tribution of such grants.~~

15       ~~“(d) DURATION.—Grants under this part shall be~~  
 16 ~~awarded for a period of 5 years.~~

17 **~~“SEC. 855. STATE TASK FORCE ESTABLISHMENT.~~**

18       ~~“(a) STATE TASK FORCE ESTABLISHED.—The Gov-~~  
 19 ~~ernor of a State receiving a grant under this part shall~~  
 20 ~~establish, or designate an existing entity to serve as, the~~  
 21 ~~State Early Childhood Education Professional Develop-~~  
 22 ~~ment and Career Task Force (hereafter in this part re-~~  
 23 ~~ferred to as the ‘State Task Force’).~~

24       ~~“(b) MEMBERSHIP.—The State Task Force shall in-~~  
 25 ~~clude a representative of a State agency, an institution~~  
 26 ~~of higher education (including an associate or a bacc-~~



1 laureate degree granting institution of higher education);  
 2 an early childhood education program, a nonprofit early  
 3 childhood organization, a statewide early childhood work-  
 4 force scholarship or supplemental initiative, and any other  
 5 entity or individual the Governor determines appropriate.

6 **“SEC. 856. STATE TASK FORCE ACTIVITIES.**

7       “(a) ACTIVITIES.—The State Task Force shall—

8               “(1) coordinate and communicate regularly with  
 9       the State Advisory Council on Early Care and Edu-  
 10       cation (hereafter in this part referred to as ‘State  
 11       Advisory Council’) or a similar State entity charged  
 12       with creating a comprehensive system of early care  
 13       and education in the State, for the purposes of—

14               “(A) integrating recommendations for  
 15       early childhood professional development and  
 16       career activities into the plans of the State Ad-  
 17       visory Council; and

18               “(B) assisting in the implementation of  
 19       professional development and career activities  
 20       that are consistent with the plans described in  
 21       subparagraph (A);

22       “(2) conduct a review of opportunities for and  
 23       barriers to high quality professional development,  
 24       training, and higher education degree programs, in  
 25       early childhood development and learning, including

1 a periodic statewide survey concerning the demo-  
2 graphics of individuals working in early childhood  
3 education programs in the State, which survey shall  
4 include information disaggregated by—

5 “(A) race, gender, and ethnicity;

6 “(B) compensation levels;

7 “(C) type of early childhood education pro-  
8 gram setting;

9 “(D) specialized knowledge of child devel-  
10 opment;

11 “(E) years of experience in an early child-  
12 hood education program; and

13 “(F) attainment of—

14 “(i) academic credit for coursework;

15 “(ii) an academic degree;

16 “(iii) a credential;

17 “(iv) licensure; or

18 “(v) certification in early childhood  
19 education; and

20 “(3) develop a plan for a comprehensive state-  
21 wide professional development and career system for  
22 individuals working in early childhood education pro-  
23 grams or for early childhood education providers;  
24 which plan shall include—

1           “(A) methods of providing outreach to  
2           early childhood education program staff, direc-  
3           tors, and administrators, including methods for  
4           how outreach is provided to non-English speak-  
5           ing providers, in order to enable the providers  
6           to be aware of opportunities and resources  
7           under the statewide plan;

8           “(B) developing a unified data collection  
9           and dissemination system for early childhood  
10          education training, professional development,  
11          and higher education programs;

12          “(C) increasing the participation of early  
13          childhood educators in high quality training and  
14          professional development by assisting in paying  
15          the costs of enrollment in and completion of  
16          such training and professional development  
17          courses;

18          “(D) increasing the participation of early  
19          childhood educators in postsecondary education  
20          programs leading to degrees in early childhood  
21          education by providing assistance to pay the  
22          costs of enrollment in and completion of such  
23          postsecondary education programs, which as-  
24          sistance—

1           “(i) shall only be provided to an indi-  
2           vidual who—

3                   “(I) enters into an agreement  
4                   under which the individual agrees to  
5                   work, for a reasonable number of  
6                   years after receiving such a degree, in  
7                   an early childhood education program  
8                   that is located in a low-income area;  
9                   and

10                   “(H) has a family income equal  
11                   to or less than the annually adjusted  
12                   national median family income as de-  
13                   termined by the Bureau of the Cen-  
14                   sus; and

15                   “(ii) shall be provided in an amount  
16                   that does not exceed \$17,500;

17                   “(E) supporting professional development  
18                   activities and a career lattice for a variety of  
19                   early childhood professional roles with varying  
20                   professional qualifications and responsibilities  
21                   for early childhood education personnel, includ-  
22                   ing strategies to enhance the compensation of  
23                   such personnel;

24                   “(F) supporting articulation agreements  
25                   between 2- and 4-year public and private insti-

tutions of higher education and mechanisms to transform other training, professional development, and experience into academic credit;

“(G) developing mentoring and coaching programs to support new educators in and directors of early childhood education programs;

“(H) providing career development advising with respect to the field of early childhood education, including informing an individual regarding—

“(i) entry into and continuing education requirements for professional roles in the field;

“(ii) available financial assistance; and

“(iii) professional development and career advancement in the field;

“(I) enhancing the quality of faculty and coursework in postsecondary programs that lead to an associate, baccalaureate, or graduate degree in early childhood education;

“(J) consideration of the availability of on-line graduate level professional development offered by institutions of higher education with experience and demonstrated expertise in estab-

1           lishing programs in child development, in order  
 2           to improve the skills and expertise of individ-  
 3           uals working in early childhood education pro-  
 4           grams; and

5                 “(K) developing or enhancing a system of  
 6           quality assurance with respect to the early  
 7           childhood education professional development  
 8           and career system, including standards or quali-  
 9           fications for individuals and entities who offer  
 10          training and professional development in early  
 11          childhood education.

12          “(b) PUBLIC HEARINGS.—The State Task Force  
 13          shall hold public hearings and provide an opportunity for  
 14          public comment on the activities described in the statewide  
 15          plan described in subsection (a)(3).

16          “(c) PERIODIC REVIEW.—The State Task Force shall  
 17          meet periodically to review implementation of the state-  
 18          wide plan and to recommend any changes to the statewide  
 19          plan the State Task Force determines necessary.

20          **“SEC. 857. STATE APPLICATION AND REPORT.**

21          “(a) IN GENERAL.—Each State desiring a grant  
 22          under this part shall submit an application to the Sec-  
 23          retary at such time, in such manner, and accompanied by  
 24          such information as the Secretary may reasonably require.  
 25          Each such application shall include a description of—

1           ~~“(1) the membership of the State Task Force;~~

2           ~~“(2) the activities for which the grant assist-~~  
 3           ~~ance will be used;~~

4           ~~“(3) other Federal, State, local, and private re-~~  
 5           ~~sources that will be available to support the activi-~~  
 6           ~~ties of the State Task Force described in section~~  
 7           ~~856;~~

8           ~~“(4) the availability within the State of train-~~  
 9           ~~ing; early childhood educator preparation; profes-~~  
 10          ~~sional development; compensation initiatives; and ea-~~  
 11          ~~reer systems; related to early childhood education;~~  
 12          ~~and~~

13          ~~“(5) the resources available within the State for~~  
 14          ~~such training; educator preparation; professional de-~~  
 15          ~~velopment; compensation initiatives; and career sys-~~  
 16          ~~tems.~~

17          ~~“(b) REPORT TO THE SECRETARY.—Not later than~~  
 18          ~~2 years after receiving a grant under this part, a State~~  
 19          ~~shall submit a report to the Secretary that shall describe—~~

20          ~~“(1) other Federal, State, local, and private re-~~  
 21          ~~sources that will be used in combination with a~~  
 22          ~~grant under this section to develop or expand the~~  
 23          ~~State’s early childhood education professional devel-~~  
 24          ~~opment and career activities;~~

1           “(2) the ways in which the State Advisory  
2           Council (or similar State entity) will coordinate the  
3           various State and local activities that support the  
4           early childhood education professional development  
5           and career system; and

6           “(3) the ways in which the State Task Force  
7           will use funds provided under this part and carry  
8           out the activities described in section 856.

9   **“SEC. 858. EVALUATIONS.**

10          “(a) STATE EVALUATION.—Each State receiving a  
11          grant under this part shall—

12               “(1) evaluate the activities that are assisted  
13               under this part in order to determine—

14                       “(A) the effectiveness of the activities in  
15                       achieving State goals;

16                       “(B) the impact of a career lattice for indi-  
17                       viduals working in early childhood education  
18                       programs;

19                       “(C) the impact of the activities on licens-  
20                       ing or regulating requirements for individuals  
21                       in the field of early childhood development;

22                       “(D) the impact of the activities, and the  
23                       impact of the statewide plan described in sec-  
24                       tion 856(a)(3), on the quality of education, pro-  
25                       fessional development, and training related to



1 early childhood education programs that are of-  
 2 fered in the State;

3 “(E) the change in compensation and re-  
 4 tention of individuals working in early childhood  
 5 education programs within the State resulting  
 6 from the activities; and

7 “(F) the impact of the activities on the de-  
 8 mographic characteristics of individuals working  
 9 in early childhood education programs; and

10 “(2) submit a report at the end of the grant pe-  
 11 riod to the Secretary regarding the evaluation de-  
 12 scribed in paragraph (1).

13 “(b) SECRETARY’S EVALUATION.—Not later than  
 14 September 30, 2013, the Secretary, in consultation with  
 15 the Secretary of Health and Human Services, shall pre-  
 16 pare and submit to the authorizing committees an evalua-  
 17 tion of the State reports submitted under subsection  
 18 (a)(2).

19 **“SEC. 859. AUTHORIZATION OF APPROPRIATIONS.**

20 “There are authorized to be appropriated to carry out  
 21 this part such sums as may be necessary for fiscal year  
 22 2008 and each of the 5 succeeding fiscal years.

1 **“PART K—IMPROVING SCIENCE, TECHNOLOGY,**  
 2 **ENGINEERING, AND MATHEMATICS EDU-**  
 3 **CATION WITH A FOCUS ON ALASKA NATIVE**  
 4 **AND NATIVE HAWAIIAN STUDENTS**

5 **“SEC. 861. IMPROVING SCIENCE, TECHNOLOGY, ENGINEER-**  
 6 **ING, AND MATHEMATICS EDUCATION WITH A**  
 7 **FOCUS ON ALASKA NATIVE AND NATIVE HA-**  
 8 **WAHIAN STUDENTS.**

9 ~~“(a) PURPOSE.—~~The purpose of this section is—

10 ~~“(1) to develop or expand programs for the de-~~  
 11 ~~velopment of professionals in the fields of science,~~  
 12 ~~technology, engineering, and mathematics; and~~

13 ~~“(2) to focus resources on meeting the edu-~~  
 14 ~~cational and cultural needs of Alaska Natives and~~  
 15 ~~Native Hawaiians.~~

16 ~~“(b) DEFINITIONS.—~~In this section:

17 ~~“(1) ALASKA NATIVE.—~~The term ‘Alaska Na-  
 18 ~~tive’ has the meaning given the term ‘Native’ in sec-~~  
 19 ~~tion 3(b) of the Alaska Natives Claims Settlement~~  
 20 ~~Act (43 U.S.C. 1602(b)).~~

21 ~~“(2) INSTITUTION OF HIGHER EDUCATION.—~~  
 22 ~~The term ‘institution of higher education’ has the~~  
 23 ~~meaning given the term in section 101(a).~~

24 ~~“(3) ELIGIBLE PARTNERSHIP.—~~The term ‘eligi-  
 25 ~~ble partnership’ means a partnership that includes—~~

1                   “(A) 1 or more colleges or schools of engi-  
2                   neering;

3                   “(B) 1 or more colleges of science, engi-  
4                   neering, or mathematics;

5                   “(C) 1 or more institutions of higher edu-  
6                   cation that offer 2-year degrees; and

7                   “(D) 1 or more private entities that con-  
8                   duct career awareness activities showcasing  
9                   local technology professionals, develop intern-  
10                  ships and apprenticeships in partnership with  
11                  relevant industries, and assist with the place-  
12                  ment of interns and apprentices.

13                  “(4) NATIVE HAWAIIAN.—The term ‘Native  
14                  Hawaiian’ has the meaning given the term in section  
15                  7207 of the Elementary and Secondary Education  
16                  Act of 1965.

17                  “(e) GRANT AUTHORIZED.—The Secretary is author-  
18                  ized to award a grant to an eligible partnership to enable  
19                  the eligible partnership to expand programs for the devel-  
20                  opment of science, technology, engineering, or mathe-  
21                  matics professionals, from elementary school through col-  
22                  lege, including existing programs for Alaska Native and  
23                  Native Hawaiian students.

24                  “(d) USES OF FUNDS.—Grant funds under this sec-  
25                  tion shall be used for 1 or more of the following:

1           “(1) Development or implementation of cul-  
2           tural, social, or educational transition programs to  
3           assist students to transition into college life and aca-  
4           demies in order to increase such students’ retention  
5           rates in the fields of science, technology, engineer-  
6           ing, or mathematics, with a focus on Alaska Native  
7           or Native Hawaiian students.

8           “(2) Development or implementation of aca-  
9           demic support or supplemental educational programs  
10          to increase the graduation rates of students in the  
11          fields of science, technology, engineering, or mathe-  
12          matics, with a focus on Alaska Native and Native  
13          Hawaiian students.

14          “(3) Development or implementation of intern-  
15          ship programs, carried out in coordination with edu-  
16          cational institutions and private entities, to prepare  
17          students for careers in the fields of science, tech-  
18          nology, engineering, or mathematics, with a focus on  
19          programs that serve Alaska Native or Native Hawai-  
20          ian students.

21          “(4) Such other activities that are consistent  
22          with the purposes of this section.

23          “(e) APPLICATION.—Each eligible partnership that  
24          desires a grant under this section shall submit an applica-

tion to the Secretary at such time, in such manner, and  
containing such information as the Secretary may require.

“(f) **PRIORITY.**—In awarding grants under this section, the Secretary shall give priority to an eligible partnership that provides 1 or more programs in which 30 percent or more of the program participants are Alaska Native or Native Hawaiian.

“(g) **PERIOD OF GRANT.**—A grant under this section shall be awarded for a period of 5 years.

“(h) **EVALUATION AND REPORT.**—Each eligible partnership that receives a grant under this section shall conduct an evaluation to determine the effectiveness of the programs funded under the grant and shall provide a report regarding the evaluation to the Secretary not later than 6 months after the end of the grant period.

“(i) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2008 and each of the 5 succeeding fiscal years.

**“PART L—PILOT PROGRAM TO INCREASE  
PERSISTENCE IN COMMUNITY COLLEGES**

**“SEC. 865. PILOT PROGRAM TO INCREASE PERSISTENCE IN  
COMMUNITY COLLEGES.**

“(a) **DEFINITIONS.**—In this section:

1           “(1) INSTITUTION OF HIGHER EDUCATION.—

2       Except as otherwise provided in this section, the  
3       term ‘institution of higher education’ means an in-  
4       stitution of higher education, as defined in section  
5       101, that provides a 1- or 2-year program of study  
6       leading to a degree or certificate.

7           “(2) ELIGIBLE STUDENT.—The term ‘eligible  
8       student’ means a student who—

9           “(A) meets the requirements of section  
10       484(a);

11          “(B) is enrolled at least half time;

12          “(C) is not younger than age 19 and not  
13       older than age 33;

14          “(D) is the parent of at least 1 dependent  
15       child, which dependent child is age 18 or  
16       younger;

17          “(E) has a family income below 200 per-  
18       cent of the poverty line;

19          “(F) has a secondary school diploma or its  
20       recognized equivalent, and earned a passing  
21       score on a college entrance examination; and

22          “(G) does not have a degree or occupa-  
23       tional certificate from an institution of higher  
24       education, as defined in section 101 or 102(a).

1       “(b) PROGRAM AUTHORIZED.—The Secretary is au-  
 2 thorized to award grants, on a competitive basis, to insti-  
 3 tutions of higher education to enable the institutions of  
 4 higher education to provide additional monetary and non-  
 5 monetary support to eligible students to enable the eligible  
 6 students to maintain enrollment and complete degree or  
 7 certificate programs.

8       “(c) USES OF FUNDS.—

9           “(1) REQUIRED USES.—Each institution of  
 10 higher education receiving a grant under this section  
 11 shall use the grant funds—

12               “(A) to provide scholarships in accordance  
 13 with subsection (d); and

14               “(B) to provide counseling services in ac-  
 15 cording with subsection (e).

16           “(2) ALLOWABLE USES OF FUNDS.—Grant  
 17 funds provided under this section may be used—

18               “(A) to conduct outreach to make students  
 19 aware of the scholarships and counseling serv-  
 20 ices available under this section and to encour-  
 21 age the students to participate in the program  
 22 assisted under this section;

23               “(B) to provide gifts of \$20 or less, such  
 24 as a store gift card, to applicants who complete  
 25 the process of applying for assistance under this

1 section, as an incentive and as compensation for  
 2 the student's time; and

3 ~~“(C) to evaluate the success of the pro-~~  
 4 ~~gram.~~

5 ~~“(d) SCHOLARSHIP REQUIREMENTS.—~~

6 ~~“(1) IN GENERAL.—Each scholarship awarded~~  
 7 ~~under this section shall—~~

8 ~~“(A) be awarded for 1 academic year;~~

9 ~~“(B) be awarded in the amount of \$1,000~~  
 10 ~~for each of 2 semesters (prorated for quarters);~~  
 11 ~~or \$2,000 for an academic year;~~

12 ~~“(C) require the student to maintain dur-~~  
 13 ~~ing the scholarship period at least half-time en-~~  
 14 ~~rollment and a 2.0 or C grade point average;~~  
 15 ~~and~~

16 ~~“(D) be paid in increments of—~~

17 ~~“(i) \$250 upon enrollment (prorated~~  
 18 ~~for quarters);~~

19 ~~“(ii) \$250 upon passing midterm ex-~~  
 20 ~~aminations (prorated for quarters); and~~

21 ~~“(iii) \$500 upon passing courses (pro-~~  
 22 ~~rated for quarters).~~

23 ~~“(2) NUMBER.—An institution may award an~~  
 24 ~~eligible student not more than 2 scholarships under~~  
 25 ~~this section.~~



1       “(e) COUNSELING SERVICES.—

2               “(1) IN GENERAL.—Each institution of higher  
3       education receiving a grant under this section shall  
4       use the grant funds to provide students at the insti-  
5       tution with a counseling staff dedicated to students  
6       participating in the program under this section.  
7       Each such counselor shall—

8               “(A) have a caseload of less than 125 stu-  
9       dents;

10              “(B) use a proactive, team-oriented ap-  
11       proach to counseling;

12              “(C) hold a minimum of 2 meetings with  
13       students each semester; and

14              “(D) provide referrals to and follow-up  
15       with other student services staff, including fi-  
16       nancial and career services.

17       “(2) COUNSELING SERVICES AVAILABILITY.—

18       The counseling services provided under this section  
19       shall be available to participating students during  
20       the daytime and evening hours.

21       “(f) APPLICATION.—An institution of higher edu-  
22       cation that desires to receive a grant under this section  
23       shall submit an application to the Secretary at such time,  
24       in such manner, and containing such information as the  
25       Secretary may require, including—

1           “(1) the number of students to be served under  
2       this section;

3           “(2) a description of the scholarships and coun-  
4       seling services that will be provided under this sec-  
5       tion; and

6           “(3) a description of how the program under  
7       this section will be evaluated.

8           “(g) PERIOD OF GRANT.—The Secretary may award  
9       a grant under this section for a period of 5 years.

10          “(h) EVALUATION.—

11               “(1) IN GENERAL.—Each institution of higher  
12       education receiving a grant under this section shall  
13       conduct an annual evaluation of the impact of the  
14       grant and shall provide the evaluation to the Sec-  
15       retary. The Secretary shall disseminate to the public  
16       the findings, information on best practices, and les-  
17       sons learned, with respect to the evaluations.

18               “(2) RANDOM ASSIGNMENT RESEARCH DE-  
19       SIGN.—The evaluation shall be conducted using a  
20       random assignment research design with the fol-  
21       lowing requirements:

22                   “(A) When students are recruited for the  
23               program, all students will be told about the pro-  
24               gram and the evaluation.

1           “(B) Baseline data will be collected from  
2           all applicants for assistance under this section.

3           “(C) Students will be assigned randomly to  
4           2 groups, which will consist of—

5                   “(i) a program group that will receive  
6                   the scholarship and the additional coun-  
7                   seling services; and

8                   “(ii) a control group that will receive  
9                   whatever regular financial aid and coun-  
10                  seling services are available to all students  
11                  at the institution of higher education.

12           “(3) PREVIOUS COHORTS.—In conducting the  
13           evaluation for the second and third years of the pro-  
14           gram, each institution of higher education shall in-  
15           clude information on previous cohorts of students as  
16           well as students in the current program year.

17           “(i) AUTHORIZATION OF APPROPRIATIONS.—There  
18           are authorized to be appropriated to carry out this section  
19           such sums as may be necessary for fiscal year 2008 and  
20           each of the 5 succeeding fiscal years.

21           **“PART M—STUDENT SAFETY AND CAMPUS**

22                   **EMERGENCY MANAGEMENT**

23           **“SEC. 871. STUDENT SAFETY AND CAMPUS EMERGENCY**  
24                   **MANAGEMENT.**

25           “(a) GRANTS AUTHORIZED.—

1           “(1) IN GENERAL.—The Secretary is authorized  
 2           to award grants, on a competitive basis, to institu-  
 3           tions of higher education or consortia of institutions  
 4           of higher education to enable institutions of higher  
 5           education or consortia to pay the Federal share of  
 6           the cost of carrying out the authorized activities de-  
 7           scribed in subsection (c).

8           “(2) CONSULTATION WITH THE ATTORNEY  
 9           GENERAL AND THE SECRETARY OF HOMELAND SE-  
 10          curity.—Where appropriate, the Secretary shall  
 11          award grants under this section in consultation with  
 12          the Attorney General of the United States and the  
 13          Secretary of Homeland Security.

14          “(3) DURATION.—The Secretary shall award  
 15          each grant under this section for a period of 2 years.

16          “(4) LIMITATION ON INSTITUTIONS AND CON-  
 17          SORTIA.—An institution of higher education or con-  
 18          sortium shall be eligible for only 1 grant under this  
 19          section.

20          “(b) FEDERAL SHARE; NON-FEDERAL SHARE.—

21               “(1) IN GENERAL.—The Federal share shall be  
 22               50 percent.

23               “(2) NON-FEDERAL SHARE.—The non-Federal  
 24               share shall be provided from other Federal, State,

1 and local resources dedicated to emergency pre-  
2 paredness and response.

3 ~~“(e) AUTHORIZED ACTIVITIES.—~~Each institution of  
4 higher education or consortium receiving a grant under  
5 this section may use the grant funds to carry out 1 or  
6 more of the following:

7 ~~“(1) Developing and implementing a state-of-~~  
8 ~~the-art emergency communications system for each~~  
9 ~~campus of an institution of higher education or con-~~  
10 ~~sortium, in order to contact students via cellular,~~  
11 ~~text message, or other state-of-the-art communica-~~  
12 ~~tions methods when a significant emergency or dan-~~  
13 ~~gerous situation occurs. An institution or consortium~~  
14 ~~using grant funds to carry out this paragraph shall~~  
15 ~~also, in coordination with the appropriate State and~~  
16 ~~local emergency management authorities—~~

17 ~~“(A) develop procedures that students, em-~~  
18 ~~ployees, and others on a campus of an institu-~~  
19 ~~tion of higher education or consortium will be~~  
20 ~~directed to follow in the event of a significant~~  
21 ~~emergency or dangerous situation; and~~

22 ~~“(B) develop procedures the institution of~~  
23 ~~higher education or consortium shall follow to~~  
24 ~~inform, within a reasonable and timely manner,~~  
25 ~~students, employees, and others on a campus in~~

1 the event of a significant emergency or dan-  
2 gerous situation; which procedures shall include  
3 the emergency communications system de-  
4 scribed in this paragraph.

5 “(2) Supporting measures to improve safety at  
6 the institution of higher education or consortium;  
7 such as—

8 “(A) security assessments;

9 “(B) security training of personnel and  
10 students at the institution of higher education  
11 or consortium;

12 “(C) where appropriate, coordination of  
13 campus preparedness and response efforts with  
14 local law enforcement, local emergency manage-  
15 ment authorities, and other agencies; to im-  
16 prove coordinated responses in emergencies  
17 among such entities; and

18 “(D) establishing a hotline that allows a  
19 student or staff member at an institution or  
20 consortium to report another student or staff  
21 member at the institution or consortium who  
22 the reporting student or staff member believes  
23 may be a danger to the reported student or  
24 staff member or to others.

1           “(3) Coordinating with appropriate local enti-  
 2           ties the provision of, mental health services for stu-  
 3           dents enrolled in the institution of higher education  
 4           or consortium, including mental health crisis re-  
 5           sponse and intervention services, to individuals af-  
 6           fected by a campus or community emergency.

7           “(d) APPLICATION.—Each institution of higher edu-  
 8           cation or consortium desiring a grant under this section  
 9           shall submit an application to the Secretary at such time,  
 10          in such manner, and containing such information as the  
 11          Secretary may require.

12          “(e) TECHNICAL ASSISTANCE.—The Secretary shall  
 13          coordinate technical assistance provided by State and local  
 14          emergency management agencies, the Department of  
 15          Homeland Security, and other agencies as appropriate, to  
 16          institutions of higher education or consortia that request  
 17          assistance in developing and implementing the activities  
 18          assisted under this section.

19          “(f) RULE OF CONSTRUCTION.—Nothing in this sec-  
 20          tion shall be construed—

21                 “(1) to provide a private right of action to any  
 22                 person to enforce any provision of this section;

23                 “(2) to create a cause of action against any in-  
 24                 stitution of higher education or any employee of the  
 25                 institution for any civil liability; or

1           ~~“(3) to affect the Family Educational Rights~~  
 2           ~~and Privacy Act of 1974 or the regulations issued~~  
 3           ~~under section 264 of the Health Insurance Port-~~  
 4           ~~ability and Accountability Act of 1996 (42 U.S.C.~~  
 5           ~~1320d-2 note).~~

6           ~~“(g) AUTHORIZATION OF APPROPRIATIONS.—There~~  
 7           ~~are authorized to be appropriated to carry out this section~~  
 8           ~~such sums as may be necessary for fiscal year 2008 and~~  
 9           ~~each of the 5 succeeding fiscal years.~~

10       **~~“SEC. 872. MODEL EMERGENCY RESPONSE POLICIES, PRO-~~**  
 11               **~~CEDURES, AND PRACTICES.~~**

12           ~~“The Secretary of Education, the Attorney General~~  
 13           ~~of the United States, and the Secretary of Homeland Se-~~  
 14           ~~curity shall jointly have the authority—~~

15           ~~“(1) to advise institutions of higher education~~  
 16           ~~on model emergency response policies, procedures,~~  
 17           ~~and practices; and~~

18           ~~“(2) to disseminate information concerning~~  
 19           ~~those policies, procedures, and practices.”.~~



1       **TITLE IX—AMENDMENTS TO**  
 2                   **OTHER LAWS**

3       **PART A—EDUCATION OF THE DEAF ACT OF 1986**

4       **SEC. 901. LAURENT CLERC NATIONAL DEAF EDUCATION**  
 5                   **CENTER.**

6           Section 104 of the Education of the Deaf Act of 1986  
 7   (20 U.S.C. 4304) is amended—

8           (1) by striking the section heading and insert-  
 9           ing “**LAURENT CLERC NATIONAL DEAF EDU-**  
 10          **CATION CENTER**”;

11          (2) in subsection (a)(1)(A), by inserting “the  
 12          Laurent Clerc National Deaf Education Center (re-  
 13          ferred to in this section as the ‘Clerc Center’) to  
 14          carry out” after “maintain and operate”; and

15          (3) in subsection (b)—

16           (A) in the matter preceding subparagraph  
 17           (A) of paragraph (1), by striking “elementary  
 18           and secondary education programs” and insert-  
 19           ing “Clerc Center”;

20           (B) in paragraph (2), by striking “elemen-  
 21           tary and secondary education programs” and  
 22           inserting “Clerc Center”; and

23           (C) by adding at the end the following:

1       “(5) The University, for purposes of the elementary  
2 and secondary education programs carried out at the Clere  
3 Center, shall—

4           “(A)(i) select challenging academic content  
5 standards, challenging student academic achieve-  
6 ment standards, and academic assessments of a  
7 State, adopted and implemented, as appropriate,  
8 pursuant to paragraphs (1) and (3) of section  
9 1111(b) of the Elementary and Secondary Edu-  
10 cation Act of 1965 (20 U.S.C. 6311(b)(1) and (3))  
11 and approved by the Secretary; and

12           “(ii) implement such standards and assess-  
13 ments for such programs by not later than the be-  
14 ginning of the 2009–2010 academic year;

15           “(B) annually determine whether such pro-  
16 grams at the Clere Center are making adequate  
17 yearly progress, as determined according to the defi-  
18 nition of adequate yearly progress defined (pursuant  
19 to section 1111(b)(2)(C) of such Act (20 U.S.C.  
20 6311(b)(2)(C))) by the State that has adopted and  
21 implemented the standards and assessments selected  
22 under subparagraph (A)(i); and

23           “(C) publicly report the results of the academic  
24 assessments implemented under subparagraph (A)  
25 and whether the programs at the Clere Center are

1 making adequate yearly progress, as determined  
 2 under subparagraph (B).”.

3 **SEC. 902. AGREEMENT WITH GALLAUDET UNIVERSITY.**

4 Section ~~105(b)(4)~~ of the Education of the Deaf Act  
 5 of 1986 (20 U.S.C. ~~4305(b)(4)~~) is amended—

6 (1) by striking “the Act of March 3, 1931 (40  
 7 U.S.C. ~~276a–276a–5~~) commonly referred to as the  
 8 Davis-Bacon Act” and inserting “subchapter IV of  
 9 chapter 31 of title 40, United States Code, com-  
 10 monly referred to as the Davis-Bacon Act”; and

11 (2) by striking “section 2 of the Act of June  
 12 13, 1934 (40 U.S.C. ~~276e~~)” and inserting “section  
 13 ~~3145~~ of title 40, United States Code”.

14 **SEC. 903. AGREEMENT FOR THE NATIONAL TECHNICAL IN-**  
 15 **STITUTE FOR THE DEAF.**

16 Section ~~112~~ of the Education of the Deaf Act of 1986  
 17 (~~20~~ U.S.C. ~~4332~~) is amended—

18 (1) in subsection (a)—

19 (A) in paragraph (1)—

20 (i) in the first sentence—

21 (I) by striking “an institution of  
 22 higher education” and inserting “the  
 23 Rochester Institute of Technology,  
 24 Rochester, New York”; and

1 (H) by striking “of a” and in-  
 2 serting “of the”; and

3 (ii) by striking the second sentence;

4 (B) by redesignating paragraph (2) as  
 5 paragraph (3); and

6 (C) by inserting after paragraph (1) the  
 7 following:

8 “(2) Notwithstanding the requirement under  
 9 paragraph (1), if the Secretary or the Rochester In-  
 10 stitute of Technology terminates the agreement  
 11 under paragraph (1), the Secretary shall consider  
 12 proposals from other institutions of higher education  
 13 and enter into an agreement with 1 of such institu-  
 14 tions for the establishment and operation of a Na-  
 15 tional Technical Institution for the Deaf.”; and

16 (2) in subsection (b)—

17 (A) in paragraph (3), by striking “Com-  
 18 mittee on Labor and Human Resources of the  
 19 Senate” and inserting “Committee on Health,  
 20 Education, Labor, and Pensions of the Senate”;  
 21 and

22 (B) in paragraph (5)—

23 (i) by striking “the Act of March 3,  
 24 1931 (40 U.S.C. 276a–276a–5) commonly  
 25 referred to as the Davis-Bacon Act” and

1 inserting “subchapter IV of chapter 31 of  
 2 title 40, United States Code, commonly re-  
 3 ferred to as the Davis-Bacon Act”; and

4 (ii) by striking “section 2 of the Act  
 5 of June 13, 1934 (40 U.S.C. 276e)” and  
 6 inserting “section 3145 of title 40, United  
 7 States Code”.

8 **SEC. 904. CULTURAL EXPERIENCES GRANTS.**

9 (a) CULTURAL EXPERIENCES GRANTS.—Title I of  
 10 the Education of the Deaf Act of 1986 (20 U.S.C. 4301  
 11 et seq.) is amended by adding at the end the following:

12 **“PART C—OTHER PROGRAMS**

13 **“SEC. 121. CULTURAL EXPERIENCES GRANTS.**

14 “(a) IN GENERAL.—The Secretary shall, on a com-  
 15 petitive basis, make grants to, and enter into contracts  
 16 and cooperative agreements with, eligible entities to sup-  
 17 port the activities described in subsection (b).

18 “(b) ACTIVITIES.—In carrying out this section, the  
 19 Secretary shall support activities providing cultural experi-  
 20 ences, through appropriate nonprofit organizations with a  
 21 demonstrated proficiency in providing such activities,  
 22 that—

23 “(1) enrich the lives of deaf and hard-of-hear-  
 24 ing children and adults;

1           ~~“(2) increase public awareness and under-~~  
 2           ~~standing of deafness and of the artistic and intellec-~~  
 3           ~~tual achievements of deaf and hard-of-hearing per-~~  
 4           ~~sons; or~~

5           ~~“(3) promote the integration of hearing, deaf,~~  
 6           ~~and hard-of-hearing persons through shared cul-~~  
 7           ~~tural, educational, and social experiences.~~

8           ~~“(e) APPLICATIONS.—An eligible entity that desires~~  
 9           ~~to receive a grant, or enter into a contract or cooperative~~  
 10          ~~agreement, under this section shall submit an application~~  
 11          ~~to the Secretary at such time, in such manner, and con-~~  
 12          ~~taining such information as the Secretary may require.~~

13          ~~“(d) AUTHORIZATION OF APPROPRIATIONS.—There~~  
 14          ~~are authorized to be appropriated to carry out this section~~  
 15          ~~such sums as may be necessary for fiscal year 2007 and~~  
 16          ~~each of the 5 succeeding fiscal years.”.~~

17          ~~(b) CONFORMING AMENDMENT.—The title heading~~  
 18          ~~of title I of the Education of the Deaf Act of 1986 (20~~  
 19          ~~U.S.C. 4301 et seq.) is amended by adding at the end~~  
 20          ~~“; OTHER PROGRAMS”.~~

21       **SEC. 905. AUDIT.**

22           ~~Section 203 of the Education of the Deaf Act of 1986~~  
 23          ~~(20 U.S.C. 4353) is amended—~~

24           ~~(1) in subsection (b)—~~

1           (A) in paragraph (1), by striking the sec-  
 2           ond sentence and inserting the following: “The  
 3           institution of higher education that the Sec-  
 4           retary has an agreement with under section 112  
 5           shall have an annual independent financial and  
 6           compliance audit made of NTID programs and  
 7           activities. The audit shall follow the cycle of the  
 8           Federal fiscal year.”;

9           (B) in paragraph (2), by striking “sec-  
 10          tions” and all that follows through the period  
 11          and inserting “sections 102(b), 105(b)(4),  
 12          112(b)(5), 203(e), 207(b)(2), subsections (e)  
 13          through (f) of section 207, and subsections (b)  
 14          and (e) of section 209.”; and

15          (C) in paragraph (3), by inserting “and  
 16          the Committee on Education and Labor of the  
 17          House of Representatives and the Committee  
 18          on Health, Education, Labor, and Pensions of  
 19          the Senate” after “Secretary”; and

20          (2) in subsection (e)(2)(A), by striking “Com-  
 21          mittee on Labor and Human Resources of the Sen-  
 22          ate” and inserting “Committee on Health, Edu-  
 23          cation, Labor, and Pensions of the Senate”.

1 **SEC. 906. REPORTS.**

2 Section 204 of the Education of the Deaf Act of 1986  
3 (20 U.S.C. 4354) is amended—

4 (1) in the matter preceding paragraph (1), by  
5 striking “Committee on Labor and Human Re-  
6 sources of the Senate” and inserting “Committee on  
7 Health, Education, Labor, and Pensions of the Sen-  
8 ate”;

9 (2) in paragraph (1), by striking “pre-  
10 paratory”;

11 (3) in paragraph (2)(C), by striking “upon  
12 graduation/completion” and inserting “on the date  
13 that is 1 year after the date of graduation or com-  
14 pletion”; and

15 (4) in paragraph (3)(B), by striking “of the in-  
16 stitution of higher education” and all that follows  
17 through the period and inserting “of NTID pro-  
18 grams and activities.”

19 **SEC. 907. MONITORING, EVALUATION, AND REPORTING.**

20 Section 205 of the Education of the Deaf Act of 1986  
21 (20 U.S.C. 4355) is amended—

22 (1) in subsection (b), by striking “The Sec-  
23 retary, as part of the annual report required under  
24 section 426 of the Department of Education Organi-  
25 zation Act, shall include a description of” and in-



1       serting “The Secretary shall annually transmit infor-  
 2       mation to Congress on”; and

3           (2) in subsection (e), by striking “fiscal years  
 4       1998 through 2003” and inserting “fiscal years  
 5       2008 through 2013”.

6   **SEC. 908. LIAISON FOR EDUCATIONAL PROGRAMS.**

7       Section 206(a) of the Education of the Deaf Act of  
 8       1986 (20 U.S.C. 4356(a)) is amended by striking “Not  
 9       later than 30 days after the date of enactment of this Act,  
 10      the” and inserting “The”.

11   **SEC. 909. FEDERAL ENDOWMENT PROGRAMS FOR GAL-**  
 12                   **LAUDET UNIVERSITY AND THE NATIONAL**  
 13                   **TECHNICAL INSTITUTE FOR THE DEAF.**

14      Section 207(h) of the Education of the Deaf Act of  
 15      1986 (20 U.S.C. 4357(h)) is amended by striking “fiscal  
 16      years 1998 through 2003” each place it appears and in-  
 17      serting “fiscal years 2008 through 2013”.

18   **SEC. 910. OVERSIGHT AND EFFECT OF AGREEMENTS.**

19      Section 208(a) of the Education of the Deaf Act of  
 20      1986 (20 U.S.C. 4359(a)) is amended by striking “Com-  
 21      mittee on Labor and Human Resources of the Senate and  
 22      the Committee on Education and the Workforce of the  
 23      House of Representatives” and inserting “Committee on  
 24      Education and Labor of the House of Representatives and

1 the Committee on Health, Education, Labor, and Pen-  
 2 sions of the Senate”.

3 **SEC. 911. INTERNATIONAL STUDENTS.**

4 Section 209 of the Education of the Deaf Act of 1986  
 5 (20 U.S.C. 4359a) is amended—

6 (1) in subsection (a)—

7 (A) by striking “preparatory, under-  
 8 graduate,” and inserting “undergraduate”;

9 (B) by striking “Effective with” and in-  
 10 sserting the following:

11 “(1) IN GENERAL.—Except as provided in para-  
 12 graph (2), effective with”; and

13 (C) by adding at the end the following:

14 “(2) DISTANCE LEARNING.—International stu-  
 15 dents who participate in distance learning courses  
 16 that are at NTID or the University and who are re-  
 17 siding outside of the United States shall—

18 “(A) not be counted as international stu-  
 19 dents for purposes of the cap on international  
 20 students under paragraph (1), except that in  
 21 any school year no United States citizen who  
 22 applies to participate in distance learning  
 23 courses that are at the University or NTID  
 24 shall be denied participation in such courses be-

1           cause of the participation of an international  
2           student in such courses; and

3                 “(B) not be charged a tuition surcharge;  
4           as described in subsection (b).”;

5           (2) by striking subsections (b), (c), and (d), and  
6           inserting the following:

7           “(b) TUITION SURCHARGE.—Except as provided in  
8           subsections (a)(2)(B) and (c), the tuition for postsec-  
9           ondary international students enrolled in the University  
10          (including undergraduate and graduate students) or  
11          NTID shall include, for academic year 2008–2009 and  
12          any succeeding academic year, a surcharge of—

13                 “(1) 100 percent for a postsecondary inter-  
14          national student from a non-developing country; and

15                 “(2) 50 percent for a postsecondary inter-  
16          national student from a developing country.

17          “(c) REDUCTION OF SURCHARGE.—

18                 “(1) IN GENERAL.—Beginning with the aca-  
19          demic year 2008–2009, the University or NTID may  
20          reduce the surcharge—

21                 “(A) under subsection (b)(1) from 100  
22          percent to not less than 50 percent if—

23                         “(i) a student described under sub-  
24          section (b)(1) demonstrates need; and

1                   “(ii) such student has made a good  
2                   faith effort to secure aid through such stu-  
3                   dent’s government or other sources; and

4                   “(B) under subsection (b)(2) from 50 per-  
5                   cent to not less than 25 percent if—

6                   “(i) a student described under sub-  
7                   section (b)(2) demonstrates need; and

8                   “(ii) such student has made a good  
9                   faith effort to secure aid through such stu-  
10                  dent’s government or other sources.

11               “(2) DEVELOPMENT OF SLIDING SCALE.—The  
12               University and NTID shall develop a sliding scale  
13               model that—

14               “(A) will be used to determine the amount  
15               of a tuition surcharge reduction pursuant to  
16               paragraph (1); and

17               “(B) shall be approved by the Secretary.

18               “(d) DEFINITION.—In this section, the term ‘devel-  
19               oping country’ means a country with a per-capita income  
20               of not more than \$4,825, measured in 1999 United States  
21               dollars, as adjusted by the Secretary to reflect inflation  
22               since 1999.”.

23   **SEC. 912. RESEARCH PRIORITIES.**

24               Section 210(b) of the Education of the Deaf Act of  
25   1986 (20 U.S.C. 4359b(b)) is amended by striking “Com-

1 mittee on Education and the Workforce of the House of  
 2 Representatives, and the Committee on Labor and Human  
 3 Resources of the Senate” and inserting “Committee on  
 4 Education and Labor of the House of Representatives,  
 5 and the Committee on Health, Education, Labor, and  
 6 Pensions of the Senate”.

7 **SEC. 913. AUTHORIZATION OF APPROPRIATIONS.**

8 Section 212 of the Education of the Deaf Act of 1986  
 9 (20 U.S.C. 4360a) is amended—

10 (1) in subsection (a), in the matter preceding  
 11 paragraph (1), by striking “fiscal years 1998  
 12 through 2003” and inserting “fiscal years 2008  
 13 through 2013”, and

14 (2) in subsection (b), by striking “fiscal years  
 15 1998 through 2003” and inserting “fiscal years  
 16 2008 through 2013”.

17 **PART B—UNITED STATES INSTITUTE OF PEACE**  
 18 **ACT**

19 **SEC. 921. UNITED STATES INSTITUTE OF PEACE ACT.**

20 (a) **POWERS AND DUTIES.**—Section 1705(b)(3) of  
 21 the United States Institute of Peace Act (22 U.S.C.  
 22 4604(b)(3)) is amended by striking “the Arms Control  
 23 and Disarmament Agency,”.

1       (b) BOARD OF DIRECTORS.—Section 1706 of the  
 2 United States Institute of Peace Act (22 U.S.C. 4605)  
 3 is amended—

4           (1) by striking “(b)(5)” each place the term ap-  
 5 pears and inserting “(b)(4)”; and

6           (2) in subsection (e), by adding at the end the  
 7 following:

8           “(5) The term of a member of the Board shall  
 9 not commence until the member is confirmed by the  
 10 Senate and sworn in as a member of the Board.”.

11       (c) FUNDING.—Section 1710 of the United States In-  
 12 stitute of Peace Act (22 U.S.C. 4609) is amended—

13           (1) by striking “to be appropriated” and all  
 14 that follows through the period at the end and in-  
 15 serting “to be appropriated such sums as may be  
 16 necessary for fiscal years 2008 through 2013.”; and

17           (2) by adding at the end the following:

18       “(d) EXTENSION.—Any authorization of appropria-  
 19 tions made for the purposes of carrying out this title shall  
 20 be extended in the same manner as applicable programs  
 21 are extended under section 422 of the General Education  
 22 Provisions Act.”.

**PART C—THE HIGHER EDUCATION**

**AMENDMENTS OF 1998**

**SEC. 931. REPEALS.**

The following provisions of title VIII of the Higher Education Amendments of 1998 (Public Law 105–244) are repealed:

(1) Part A.

(2) Part C (20 U.S.C. 1070 note).

(3) Part F (20 U.S.C. 1862 note).

(4) Part J.

(5) Section 861.

(6) Section 863.

**SEC. 932. GRANTS TO STATES FOR WORKPLACE AND COMMUNITY TRANSITION TRAINING FOR INCARCERATED YOUTH OFFENDERS.**

Section 821 of the Higher Education Amendments of 1998 (20 U.S.C. 1151) is amended to read as follows:

**“SEC. 821. GRANTS TO STATES FOR IMPROVED WORKPLACE AND COMMUNITY TRANSITION TRAINING FOR INCARCERATED YOUTH OFFENDERS.**

“(a) **DEFINITION.**—In this section, the term ‘youth offender’ means a male or female offender under the age of 35, who is incarcerated in a State prison, including a prerelease facility.

“(b) **GRANT PROGRAM.**—The Secretary of Education (in this section referred to as the ‘Secretary’)—

1           “(1) shall establish a program in accordance  
2           with this section to provide grants to the State cor-  
3           rectional education agencies in the States, from allo-  
4           cations for the States under subsection (h), to assist  
5           and encourage youth offenders to acquire functional  
6           literacy, life, and job skills, through—

7                   “(A) the pursuit of a postsecondary edu-  
8                   cation certificate, or an associate or bachelor’s  
9                   degree while in prison; and

10                   “(B) employment counseling and other re-  
11                   lated services which start during incarceration  
12                   and end not later than 1 year after release from  
13                   confinement; and

14           “(2) may establish such performance objectives  
15           and reporting requirements for State correctional  
16           education agencies receiving grants under this sec-  
17           tion as the Secretary determines are necessary to as-  
18           sess the effectiveness of the program under this sec-  
19           tion.

20           “(c) APPLICATION.—To be eligible for a grant under  
21           this section, a State correctional education agency shall  
22           submit to the Secretary a proposal for a youth offender  
23           program that—



1           “(1) identifies the scope of the problem, includ-  
 2           ing the number of youth offenders in need of post-  
 3           secondary education and vocational training;

4           “(2) lists the accredited public or private edu-  
 5           cational institution or institutions that will provide  
 6           postsecondary educational services;

7           “(3) lists the cooperating agencies, public and  
 8           private, or businesses that will provide related serv-  
 9           ices, such as counseling in the areas of career devel-  
 10          opment, substance abuse, health, and parenting  
 11          skills;

12          “(4) describes specific performance objectives  
 13          and evaluation methods (in addition to, and con-  
 14          sistent with, any objectives established by the Sec-  
 15          retary under subsection (b)(2)) that the State cor-  
 16          rectional education agency will use in carrying out  
 17          its proposal, including—

18               “(A) specific and quantified student out-  
 19               come measures that are referenced to outcomes  
 20               for non-program participants with similar de-  
 21               mographic characteristics; and

22               “(B) measures, consistent with the data  
 23               elements and definitions described in subsection  
 24               (d)(1)(A), of—

1           “(i) program completion, including an  
2           explicit definition of what constitutes a  
3           program completion within the proposal;

4           “(ii) knowledge and skill attainment,  
5           including specification of instruments that  
6           will measure knowledge and skill attain-  
7           ment;

8           “(iii) attainment of employment both  
9           prior to and subsequent to release;

10          “(iv) success in employment indicated  
11          by job retention and advancement; and

12          “(v) recidivism, including such sub-  
13          indicators as time before subsequent of-  
14          fense and severity of offense;

15          “(5) describes how the proposed programs are  
16          to be integrated with existing State correctional edu-  
17          cation programs (such as adult education, graduate  
18          education degree programs, and vocational training)  
19          and State industry programs;

20          “(6) describes how the proposed programs will  
21          have considered or will utilize technology to deliver  
22          the services under this section; and

23          “(7) describes how students will be selected so  
24          that only youth offenders eligible under subsection  
25          (e) will be enrolled in postsecondary programs.

1       “(d) PROGRAM REQUIREMENTS.—Each State correc-  
 2       tional education agency receiving a grant under this sec-  
 3       tion shall—

4               “(1) annually report to the Secretary regard-  
 5       ing—

6                       “(A) the results of the evaluations con-  
 7       ducted using data elements and definitions pro-  
 8       vided by the Secretary for the use of State cor-  
 9       rectional education programs;

10                      “(B) any objectives or requirements estab-  
 11       lished by the Secretary pursuant to subsection  
 12       (b)(2); and

13                      “(C) the additional performance objectives  
 14       and evaluation methods contained in the pro-  
 15       posal described in subsection (e)(4) as nec-  
 16       essary to document the attainment of project  
 17       performance objectives; and

18               “(2) provide to each State for each student eli-  
 19       gible under subsection (e) not more than—

20                      “(A) \$3,000 annually for tuition, books,  
 21       and essential materials; and

22                      “(B) \$300 annually for related services  
 23       such as career development, substance abuse  
 24       counseling, parenting skills training, and health  
 25       education.

1       “(e) STUDENT ELIGIBILITY.—A youth offender shall  
2 be eligible for participation in a program receiving a grant  
3 under this section if the youth offender—

4           “(1) is eligible to be released within 5 years (in-  
5 cluding a youth offender who is eligible for parole  
6 within such time); and

7           “(2) is 35 years of age or younger.

8       “(f) LENGTH OF PARTICIPATION.—A State correc-  
9 tional education agency receiving a grant under this sec-  
10 tion shall provide educational and related services to each  
11 participating youth offender for a period not to exceed 5  
12 years, 1 year of which may be devoted to study in a grad-  
13 uate education degree program or to remedial education  
14 services for students who have obtained a secondary school  
15 diploma or its recognized equivalent. Educational and re-  
16 lated services shall start during the period of incarceration  
17 in prison or prerelease, and the related services may con-  
18 tinue for not more than 1 year after release from confine-  
19 ment.

20       “(g) EDUCATION DELIVERY SYSTEMS.—State cor-  
21 rectional education agencies and cooperating institutions  
22 shall, to the extent practicable, use high-tech applications  
23 in developing programs to meet the requirements and  
24 goals of this section.

1       “(h) **ALLOCATION OF FUNDS.**—From the funds ap-  
 2       propriated pursuant to subsection (i) for each fiscal year,  
 3       the Secretary shall allot to each State an amount that  
 4       bears the same relationship to such funds as the total  
 5       number of students eligible under subsection (e) in such  
 6       State bears to the total number of such students in all  
 7       States.

8       “(i) **AUTHORIZATION OF APPROPRIATIONS.**—There  
 9       are authorized to be appropriated to carry out this section  
 10      such sums as may be necessary for fiscal years 2008  
 11      through 2013.”.

12      **SEC. 933. UNDERGROUND RAILROAD EDUCATIONAL AND**  
 13                                      **CULTURAL PROGRAM.**

14      Section 841(e) of the Higher Education Amendments  
 15      of 1998 (20 U.S.C. 1153(e)) is amended by striking “this  
 16      section” and all that follows through the period at the end  
 17      and inserting “this section such sums as may be necessary  
 18      for fiscal years 2008 through 2013.”.

19      **SEC. 934. OLYMPIC SCHOLARSHIPS UNDER THE HIGHER**  
 20                                      **EDUCATION AMENDMENTS OF 1992.**

21      Section 1543(d) of the Higher Education Amend-  
 22      ments of 1992 (20 U.S.C. 1070 note) is amended by strik-  
 23      ing “to be appropriated” and all that follows through the  
 24      period at the end and inserting “to be appropriated such

1 sums as may be necessary for fiscal years 2008 through  
 2 2013.”.

### 3 **PART D—INDIAN EDUCATION**

#### 4 **Subpart 1—Tribal Colleges and Universities**

5 **SEC. 941. REAUTHORIZATION OF THE TRIBALLY CON-**  
 6 **TROLLED COLLEGE OR UNIVERSITY ASSIST-**  
 7 **ANCE ACT OF 1978.**

8 (a) CLARIFICATION OF THE DEFINITION OF NA-  
 9 TIONAL INDIAN ORGANIZATION.—Section 2(a)(6) of the  
 10 Tribally Controlled College or University Assistance Act  
 11 of 1978 (25 U.S.C. 1801(a)(6)) is amended by striking  
 12 “in the field of Indian education” and inserting “in the  
 13 fields of tribally controlled colleges and universities and  
 14 Indian higher education”.

15 (b) INDIAN STUDENT COUNT.—Section 2(a) of the  
 16 Tribally Controlled College or University Assistance Act  
 17 of 1978 (25 U.S.C. 1801(a)) is amended—

18 (1) by redesignating paragraphs (7) and (8) as  
 19 paragraphs (8) and (9), respectively; and

20 (2) by inserting after paragraph (6) the fol-  
 21 lowing:

22 “(7) ‘Indian student’ means a student who is—  
 23 “(A) a member of an Indian tribe; or  
 24 “(B) a biological child of a member of an  
 25 Indian tribe, living or deceased;”.

1       (c) CONTINUING EDUCATION.—Section 2(b) of the  
 2 Tribally Controlled College or University Assistance Act  
 3 of 1978 (25 U.S.C. 1801(b)) is amended—

4           (1) in the matter preceding paragraph (1), by  
 5 striking “paragraph (7) of subsection (a)” and in-  
 6 serting “subsection (a)(8)”;

7           (2) by striking paragraph (5) and inserting the  
 8 following:

9           “(5) DETERMINATION OF CREDITS.—Eligible  
 10 credits earned in a continuing education program—

11           “(A) shall be determined as 1 credit for  
 12 every 10 contact hours in the case of an institu-  
 13 tion on a quarter system, or 15 contact hours  
 14 in the case of an institution on a semester sys-  
 15 tem, of participation in an organized continuing  
 16 education experience under responsible sponsor-  
 17 ship, capable direction, and qualified instruc-  
 18 tion, as described in the criteria established by  
 19 the International Association for Continuing  
 20 Education and Training; and

21           “(B) shall be limited to 10 percent of the  
 22 Indian student count of a tribally controlled col-  
 23 lege or university.”; and

24           (3) by striking paragraph (6).

1       (d) **ACCREDITATION REQUIREMENT.**—Section 103 of  
 2 the Tribally Controlled College or University Assistance  
 3 Act of 1978 (25 U.S.C. 1804) is amended—

4           (1) in paragraph (2), by striking “and” at the  
 5 end;

6           (2) in paragraph (3), by striking the period at  
 7 the end and inserting “; and”; and

8           (3) by inserting after paragraph (3), the fol-  
 9 lowing:

10           “(4)(A) is accredited by a nationally recognized  
 11 accrediting agency or association determined by the  
 12 Secretary of Education to be a reliable authority  
 13 with regard to the quality of training offered; or

14           “(B) according to such an agency or associa-  
 15 tion, is making reasonable progress toward accredi-  
 16 tation.”.

17       (e) **TECHNICAL ASSISTANCE CONTRACTS.**—Section  
 18 105 of the Tribally Controlled College or University As-  
 19 sistance Act of 1978 (25 U.S.C. 1805) is amended—

20           (1) by striking the section designation and  
 21 heading and all that follows through “The Secretary  
 22 shall” and inserting the following:

23 **“SEC. 105. TECHNICAL ASSISTANCE CONTRACTS.**

24       **“(a) TECHNICAL ASSISTANCE.—**

25           **“(1) IN GENERAL.—**The Secretary shall”;



1           (2) in the second sentence, by striking “In the  
2           awarding of contracts for technical assistance, pref-  
3           erence shall be given” and inserting the following:

4           “(2) DESIGNATED ORGANIZATION.—The Sec-  
5           retary shall require that a contract for technical as-  
6           sistance under paragraph (1) shall be awarded”; and

7           (3) in the third sentence, by striking “No au-  
8           thority” and inserting the following:

9           “(b) EFFECT OF SECTION.—No authority”.

10          (f) AMOUNT OF GRANTS.—Section 108(a) of the  
11          Tribally Controlled College or University Assistance Act  
12          of 1978 (25 U.S.C. 1808(a)) is amended—

13               (1) by redesignating paragraphs (1) and (2) as  
14               subparagraphs (A) and (B), respectively, and indent-  
15               ing the subparagraphs appropriately;

16               (2) by striking “(a) Except as provided in sec-  
17               tion 111,” and inserting the following:

18               “(a) REQUIREMENT.—

19                       “(1) IN GENERAL.—Except as provided in para-  
20                       graph (2) and section 111,”;

21                       (3) in paragraph (1) (as redesignated by para-  
22                       graphs (1) and (2))—

23                               (A) in the matter preceding subparagraph

24                               (A) (as redesignated by paragraph (1))—

1 (i) by striking “him” and inserting  
2 “the Secretary”; and

3 (ii) by striking “product of” and in-  
4 serting “product obtained by multiplying”;

5 (B) in subparagraph (A) (as redesignated  
6 by paragraph (1)); by striking “section 2(a)(7)”  
7 and inserting “section 2(a)(8)”; and

8 (C) in subparagraph (B) (as redesignated  
9 by paragraph (1)); by striking “\$6,000,” and  
10 inserting “\$8,000, as adjusted annually for in-  
11 flation.”; and

12 (4) by striking “except that no grant shall ex-  
13 ceed the total cost of the education program pro-  
14 vided by such college or university.” and inserting  
15 the following:

16 “(2) EXCEPTION.—The amount of a grant  
17 under paragraph (1) shall not exceed an amount  
18 equal to the total cost of the education program pro-  
19 vided by the applicable tribally controlled college or  
20 university.”.

21 (g) GENERAL PROVISIONS REAUTHORIZATION.—Sec-  
22 tion 110(a) of the Tribally Controlled College or Univer-  
23 sity Assistance Act of 1978 (25 U.S.C. 1810(a)) is amend-  
24 ed—

1           (1) in paragraphs (1), (2), (3), and (4), by  
2       striking “1999” and inserting “2008”;

3           (2) in paragraphs (1), (2), and (3), by striking  
4       “4 succeeding” and inserting “5 succeeding”;

5           (3) in paragraph (2), by striking  
6       “\$40,000,000” and inserting “such sums as may be  
7       necessary”;

8           (4) in paragraph (3), by striking  
9       “\$10,000,000” and inserting “such sums as may be  
10      necessary”; and

11          (5) in paragraph (4), by striking “succeeding  
12      4” and inserting “5 succeeding”.

13      (h) ENDOWMENT PROGRAM REAUTHORIZATION.—  
14      Section 306(a) of the Tribally Controlled College or Uni-  
15      versity Assistance Act of 1978 (25 U.S.C. 1836(a)) is  
16      amended—

17          (1) by striking “1999” and inserting “2008”;  
18      and

19          (2) by striking “4 succeeding” and inserting “5  
20      succeeding”.

21      (i) TRIBAL ECONOMIC DEVELOPMENT REAUTHOR-  
22      IZATION.—Section 403 of the Tribal Economic Develop-  
23      ment and Technology Related Education Assistance Act  
24      of 1990 (25 U.S.C. 1852) is amended—

1           (1) by striking “\$2,000,000 for fiscal year  
2           1999” and inserting “such sums as may be nec-  
3           essary for fiscal year 2008”; and

4           (2) by striking “4 succeeding” and inserting “5  
5           succeeding”.

6           (j) TRIBALLY CONTROLLED POSTSECONDARY CA-  
7 REER AND TECHNICAL INSTITUTIONS.—

8           (1) IN GENERAL.—The Tribally Controlled Col-  
9           lege or University Assistance Act of 1978 (25 U.S.C.  
10          1801 et seq.) is amended by adding at the end the  
11          following:

12       **“Subtitle V—Tribally Controlled**  
13       **Postsecondary Career and Tech-**  
14       **nical Institutions**

15       **“SEC. 501. DEFINITION OF TRIBALLY CONTROLLED POST-**  
16               **SECONDARY CAREER AND TECHNICAL INSTI-**  
17               **TUTION.**

18       “In this title, the term ‘tribally controlled postsee-  
19       ondary career and technical institution’ has the meaning  
20       given the term in section 3 of the Carl D. Perkins Career  
21       and Technical Education Act of 2006 (20 U.S.C. 2302).

1 **“SEC. 502. TRIBALLY CONTROLLED POSTSECONDARY CA-**  
 2 **REER AND TECHNICAL INSTITUTIONS PRO-**  
 3 **GRAM.**

4 “(a) IN GENERAL.—Subject to the availability of ap-  
 5 propriations, for fiscal year 2008 and each fiscal year  
 6 thereafter, the Secretary shall—

7 “(1) subject to subsection (b), select 2 tribally  
 8 controlled postsecondary career and technical insti-  
 9 tutions to receive assistance under this title; and

10 “(2) provide funding to the selected tribally  
 11 controlled postsecondary career and technical insti-  
 12 tutions to pay the costs (including institutional sup-  
 13 port costs) of operating postsecondary career and  
 14 technical education programs for Indian students at  
 15 the tribally controlled postsecondary career and tech-  
 16 nical institutions.

17 “(b) SELECTION OF CERTAIN INSTITUTIONS.—

18 “(1) REQUIREMENT.—For each fiscal year dur-  
 19 ing which the Secretary determines that a tribally  
 20 controlled postsecondary career and technical insti-  
 21 tution described in paragraph (2) meets the defini-  
 22 tion referred to in section 501, the Secretary shall  
 23 select that tribally controlled postsecondary career  
 24 and technical institution under subsection (a)(1) to  
 25 receive funding under this section.

1           “(2) INSTITUTIONS.—The 2 tribally controlled  
2           postsecondary career and technical institutions re-  
3           ferred to in paragraph (1) are—

4                   “(A) the United Tribes Technical College;  
5                   and

6                   “(B) the Navajo Technical College.

7           “(c) METHOD OF PAYMENT.—For each applicable  
8           fiscal year, the Secretary shall provide funding under this  
9           section to each tribally controlled postsecondary career  
10          and technical institution selected for the fiscal year under  
11          subsection (a)(1) in a lump sum payment for the fiscal  
12          year.

13          “(d) DISTRIBUTION.—

14                  “(1) IN GENERAL.—For fiscal year 2009 and  
15                  each fiscal year thereafter, of amounts made avail-  
16                  able pursuant to section 504, the Secretary shall dis-  
17                  tribute to each tribally controlled postsecondary ca-  
18                  reer and technical institution selected for the fiscal  
19                  year under subsection (a)(1) an amount equal to the  
20                  greater of—

21                          “(A) the total amount appropriated for the  
22                          tribally controlled postsecondary career and  
23                          technical institution for fiscal year 2006; or

1           “(B) the total amount appropriated for the  
2           tribally controlled postsecondary career and  
3           technical institution for fiscal year 2008.

4           “(2) EXCESS AMOUNTS.—If, for any fiscal year,  
5           the amount made available pursuant to section 504  
6           exceeds the sum of the amounts required to be dis-  
7           tributed under paragraph (1) to the tribally con-  
8           trolled postsecondary career and technical institu-  
9           tions selected for the fiscal year under subsection  
10          (a)(1), the Secretary shall distribute to each tribally  
11          controlled postsecondary career and technical insti-  
12          tution selected for that fiscal year a portion of the  
13          excess amount, to be determined by—

14           “(A) dividing the excess amount by the ag-  
15           gregate Indian student count (as defined in sec-  
16           tion 117(h) of the Carl D. Perkins Career and  
17           Technical Education Act of 2006 (20 U.S.C.  
18           2327(h)) of such institutions for the prior aca-  
19           demic year; and

20           “(B) multiplying the quotient described in  
21           subparagraph (A) by the Indian student count  
22           of each such institution for the prior academic  
23           year.

1 **“SEC. 503. APPLICABILITY OF OTHER LAWS.**

2       “(a) ~~IN GENERAL.~~—Paragraphs (4) and (7) of sub-  
3 section (a), and subsection (b), of section 2, sections 105,  
4 108, 111, 112 and 113, and titles II, III, and IV shall  
5 not apply to this title.

6       “(b) ~~INDIAN SELF-DETERMINATION AND EDU-~~  
7 ~~CATION ASSISTANCE.~~—Funds made available pursuant to  
8 this title shall be subject to the Indian Self-Determination  
9 and Education Assistance Act (25 U.S.C. 450 et seq.).

10       “(c) ~~ELECTION TO RECEIVE.~~—A tribally controlled  
11 postsecondary career and technical institution selected for  
12 a fiscal year under section 502(b) may elect to receive  
13 funds pursuant to section 502 in accordance with an  
14 agreement between the tribally controlled postsecondary  
15 career and technical institution and the Secretary under  
16 the Indian Self-Determination and Education Assistance  
17 Act (25 U.S.C. 450 et seq.) if the agreement is in exist-  
18 ence on the date of enactment of the Higher Education  
19 Amendments of 2007.

20       “(d) ~~OTHER ASSISTANCE.~~—Eligibility for, or receipt  
21 of, assistance under this title shall not preclude the eligi-  
22 bility of a tribally controlled postsecondary career and  
23 technical institutions to receive Federal financial assist-  
24 ance under—

25               “(1) any program under the Higher Education  
26 Act of 1965 (20 U.S.C. 1001 et seq.);



1           ~~“(2) any program under the Carl D. Perkins~~  
 2           ~~Career and Technical Education Act of 2006; or~~

3           ~~“(3) any other applicable program under which~~  
 4           ~~a benefit is provided for—~~

5                   ~~“(A) institutions of higher education;~~

6                   ~~“(B) community colleges; or~~

7                   ~~“(C) postsecondary educational institu-~~  
 8                   ~~tions.~~

9   **~~“SEC. 504. AUTHORIZATION OF APPROPRIATIONS.~~**

10           ~~“There are authorized to be appropriated such sums~~  
 11           ~~as are necessary for fiscal year 2008 and each fiscal year~~  
 12           ~~thereafter to carry out this title.”.~~

13                   ~~(2) CONFORMING AMENDMENTS.—Section 117~~  
 14           ~~of the Carl D. Perkins Career and Technical Edu-~~  
 15           ~~cation Act of 2006 (20 U.S.C. 2327) is amended—~~

16                   ~~(A) by striking subsection (a) and insert-~~  
 17                   ~~ing the following:~~

18           ~~“(a) GRANT PROGRAM.—Subject to the availability of~~  
 19           ~~appropriations, the Secretary shall make grants under this~~  
 20           ~~section, to provide basic support for the education and~~  
 21           ~~training of Indian students, to tribally controlled postsee-~~  
 22           ~~ondary career and technical institutions that are not re-~~  
 23           ~~ceiving Federal assistance as of the date on which the~~  
 24           ~~grant is provided under—~~

1           “(1) title I of the Tribally Controlled College or  
2           University Assistance Act of 1978 (25 U.S.C. 1802  
3           et seq.); or

4           “(2) the Navajo Community College Act (25  
5           U.S.C. 640a et seq.).”;

6           (B) by striking subsection (d) and insert-  
7           ing the following:

8           “(d) APPLICATIONS.—To be eligible to receive a  
9           grant under this section, a tribally controlled postsec-  
10          ondary career and technical institution that is not receiv-  
11          ing Federal assistance under title I of the Tribally Con-  
12          trolled College or University Assistance Act (25 U.S.C.  
13          1802 et seq.) or the Navajo Community College Act (25  
14          U.S.C. 640a et seq.) shall submit to the Secretary an ap-  
15          plication at such time, in such manner, and containing  
16          such information as the Secretary may require.”.

17          (k) SHORT TITLE.—

18                 (1) IN GENERAL.—The first section of the Trib-  
19          ally Controlled College or University Assistance Act  
20          of 1978 (25 U.S.C. 1801 note; Public Law 95–471)  
21          is amended to read as follows:

22          **“SECTION 1. SHORT TITLE.**

23                 “‘This Act may be cited as the ‘Tribally Controlled  
24          Colleges and Universities Assistance Act of 1978’.”.

1           (2) REFERENCES.—Any reference in law (in-  
 2       cluding regulations) to the Tribally Controlled Col-  
 3       lege or University Assistance Act of 1978 shall be  
 4       considered to be a reference to the “Tribally Con-  
 5       trolled Colleges and Universities Assistance Act of  
 6       1978”.

7           **Subpart 2—Navajo Higher Education**

8       **SEC. 945. SHORT TITLE.**

9           This subpart may be cited as the “Navajo Nation  
 10      Higher Education Act of 2006”.

11      **SEC. 946. REAUTHORIZATION OF NAVAJO COMMUNITY COL-**  
 12                                   **LEGE ACT.**

13           (a) PURPOSE.—Section 2 of the Navajo Community  
 14      College Act (25 U.S.C. 640a) is amended—

15                   (1) by striking “Navajo Tribe of Indians” and  
 16                   inserting “Navajo Nation”; and

17                   (2) by striking “the Navajo Community Col-  
 18                   lege” and inserting “Diné College”.

19           (b) GRANTS.—Section 3 of the Navajo Community  
 20      College Act (25 U.S.C. 640b) is amended—

21                   (1) in the first sentence—

22                                   (A) by inserting “the” before “Interior”;

23                                   (B) by striking “Navajo Tribe of Indians”  
 24                   and inserting “Navajo Nation”; and

1           (C) by striking “the Navajo Community  
2           College” and inserting “Diné College”; and  
3           (2) in the second sentence—

4           (A) by striking “Navajo Tribe” and insert-  
5           ing “Navajo Nation”; and

6           (B) by striking “Navajo Indians” and in-  
7           serting “Navajo people”.

8           (e) STUDY OF FACILITIES NEEDS.—Section 4 of the  
9           Navajo Community College Act (25 U.S.C. 640e) is  
10          amended—

11          (1) in subsection (a)—

12           (A) in the first sentence—

13           (i) by striking “the Navajo Commu-  
14           nity College” and inserting “Dine College”;  
15           and

16           (ii) by striking “August 1, 1979” and  
17           inserting “October 31, 2010”; and

18           (B) in the second sentence, by striking  
19           “Navajo Tribe” and inserting “Navajo Nation”;

20          (2) in subsection (b), by striking “the date of  
21          enactment of the Tribally Controlled Community  
22          College Assistance Act of 1978” and inserting “Oc-  
23          tober 1, 2007”; and

1           ~~(2)~~ in subsection (c), in the first sentence, by  
 2           striking “the Navajo Community College” and in-  
 3           serting “Diné College”.

4           (d) AUTHORIZATION OF APPROPRIATIONS.—Section  
 5   5 of the Navajo Community College Act (25 U.S.C. 640e-  
 6   4) is amended—

7           (1) in subsection (a)—

8                   (A) in paragraph (1), by striking  
 9                   “\$2,000,000” and all that follows through the  
 10                  end of the paragraph and inserting “such sums  
 11                  as are necessary for fiscal years 2008 through  
 12                  2013.”; and

13                  (B) by adding at the end the following:

14           “~~(3)~~ Sums described in paragraph (2) shall be used  
 15   to provide grants for construction activities, including the  
 16   construction of buildings, water and sewer facilities, roads,  
 17   information technology and telecommunications infra-  
 18   structure, classrooms, and external structures (such as  
 19   walkways).”;

20           (2) in subsection (b)(1)—

21                   (A) in the matter preceding subparagraph

22                   (A)—

23                           (i) by striking “the Navajo Commu-  
 24                           nity College” and inserting “Diné College”;  
 25                           and

1                   (ii) by striking “, for each fiscal year”  
 2                   and all that follows through “for—” and  
 3                   inserting “such sums as are necessary for  
 4                   fiscal years 2008 through 2013 to pay the  
 5                   cost of—”;

6                   (B) in subparagraph (A)—

7                   (i) by striking “college” and inserting  
 8                   “College”;

9                   (ii) in clauses (i) and (iii), by striking  
 10                  the commas at the ends of the clauses and  
 11                  inserting semicolons; and

12                  (iii) in clause (ii), by striking “, and”  
 13                  at the end and inserting “, and”;

14                  (C) in subparagraph (B), by striking the  
 15                  comma at the end and inserting a semicolon;

16                  (D) in subparagraph (C), by striking “,  
 17                  and” at the end and inserting a semicolon;

18                  (E) in subparagraph (D), by striking the  
 19                  period at the end and inserting “, and”; and

20                  (F) by adding at the end the following:

21                   “(E) improving and expanding the College;  
 22                   including by providing, for the Navajo people  
 23                   and others in the community of the College—

24                   “(i) higher education programs;

25                   “(ii) career and technical education;

1                   “(iii) activities relating to the preser-  
 2                   vation and protection of the Navajo lan-  
 3                   guage, philosophy, and culture;

4                   “(iv) employment and training oppor-  
 5                   tunities;

6                   “(v) economic development and com-  
 7                   munity outreach; and

8                   “(vi) a safe learning, working, and liv-  
 9                   ing environment.”; and

10                ~~(3)~~ in subsection (c), by striking “the Navajo  
 11                Community College” and inserting “Diné College”.

12                (c) EFFECT ON OTHER LAWS.—Section 6 of the  
 13 Navajo Community College Act (25 U.S.C. 640c-2) is  
 14 amended—

15                (1) by striking “the Navajo Community Col-  
 16                lege” each place it appears and inserting “Diné Col-  
 17                lege”; and

18                (2) in subsection (b), by striking “college” and  
 19                inserting “College”.

20                (f) PAYMENTS; INTEREST.—Section 7 of the Navajo  
 21 Community College Act (25 U.S.C. 640c-3) is amended  
 22 by striking “the Navajo Community College” each place  
 23 it appears and inserting “Diné College”.

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2       (a) *SHORT TITLE.*—*This Act may be cited as the*  
 3 *“Higher Education Amendments of 2007”.*

4       (b) *TABLE OF CONTENTS.*—*The table of contents for*  
 5 *this Act is as follows:*

*Sec. 1. Short title; table of contents.*

*Sec. 2. References.*

*Sec. 3. General effective date.*

**TITLE I—GENERAL PROVISIONS**

*Sec. 101. Additional definitions.*

*Sec. 102. General definition of institution of higher education.*

*Sec. 103. Definition of institution of higher education for purposes of title IV programs.*

*Sec. 104. Protection of student speech and association rights.*

*Sec. 105. Accreditation and Institutional Quality and Integrity Advisory Committee.*

*Sec. 106. Drug and alcohol abuse prevention.*

*Sec. 107. Prior rights and obligations.*

*Sec. 108. Transparency in college tuition for consumers.*

*Sec. 109. Databases of student information prohibited.*

*Sec. 110. Clear and easy-to-find information on student financial aid.*

*Sec. 111. Performance-based organization for the delivery of Federal student financial assistance.*

*Sec. 112. Procurement flexibility.*

*Sec. 113. Institution and lender reporting and disclosure requirements.*

**TITLE II—TEACHER QUALITY ENHANCEMENT**

*Sec. 201. Teacher quality partnership grants.*

*Sec. 202. General provisions.*

**TITLE III—INSTITUTIONAL AID**

*Sec. 301. Program purpose.*

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*Sec. 303. American Indian tribally controlled colleges and universities.*

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- Sec. 441. Authorization of appropriations.*
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## PART D—FEDERAL PERKINS LOANS

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- Sec. 471. Definitions.*
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- Sec. 478. Entrance counseling required.*
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- Sec. 501. Authorized activities.*
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#### *TITLE VI—INTERNATIONAL EDUCATION PROGRAMS*

- Sec. 601. Findings.*
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- Sec. 617. Financial assistance.*
- Sec. 618. Report.*
- Sec. 619. Gifts and donations.*
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- Sec. 621. Definitions.*
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*TITLE VII—GRADUATE AND POSTSECONDARY IMPROVEMENT  
PROGRAMS*

- Sec. 701. Purpose.*  
*Sec. 702. Allocation of Jacob K. Javits Fellowships.*  
*Sec. 703. Stipends.*  
*Sec. 704. Authorization of appropriations for the Jacob K. Javits Fellowship Program.*  
*Sec. 705. Institutional eligibility under the Graduate Assistance in Areas of National Need Program.*  
*Sec. 706. Awards to graduate students.*  
*Sec. 707. Additional assistance for cost of education.*  
*Sec. 708. Authorization of appropriations for the Graduate Assistance in Areas of National Need Program.*  
*Sec. 709. Legal educational opportunity program.*  
*Sec. 710. Fund for the improvement of postsecondary education.*  
*Sec. 711. Special projects.*  
*Sec. 712. Authorization of appropriations for the fund for the improvement of postsecondary education.*  
*Sec. 713. Repeal of the urban community service program.*  
*Sec. 714. Grants for students with disabilities.*  
*Sec. 715. Applications for demonstration projects to ensure students with disabilities receive a quality higher education.*  
*Sec. 716. Authorization of appropriations for demonstration projects to ensure students with disabilities receive a quality higher education.*  
*Sec. 717. Research grants.*

*TITLE VIII—MISCELLANEOUS*

- Sec. 801. Miscellaneous.*

*TITLE IX—AMENDMENTS TO OTHER LAWS*

*PART A—EDUCATION OF THE DEAF ACT OF 1986*

- Sec. 901. Laurent Clerc National Deaf Education Center.*  
*Sec. 902. Agreement with Gallaudet University.*  
*Sec. 903. Agreement for the National Technical Institute for the Deaf.*  
*Sec. 904. Cultural experiences grants.*  
*Sec. 905. Audit.*  
*Sec. 906. Reports.*  
*Sec. 907. Monitoring, evaluation, and reporting.*  
*Sec. 908. Liaison for educational programs.*  
*Sec. 909. Federal endowment programs for Gallaudet University and the National Technical Institute for the Deaf.*  
*Sec. 910. Oversight and effect of agreements.*  
*Sec. 911. International students.*  
*Sec. 912. Research priorities.*  
*Sec. 913. Authorization of appropriations.*

*PART B—UNITED STATES INSTITUTE OF PEACE ACT*

- Sec. 921. United States Institute of Peace Act.*

*PART C—THE HIGHER EDUCATION AMENDMENTS OF 1998*

- Sec. 931. Repeals.*

*Sec. 932. Grants to States for workplace and community transition training for incarcerated youth offenders.*

*Sec. 933. Underground railroad educational and cultural program.*

*Sec. 934. Olympic scholarships under the Higher Education Amendments of 1992.*

#### *PART D—INDIAN EDUCATION*

##### *SUBPART 1—TRIBAL COLLEGES AND UNIVERSITIES*

*Sec. 941. Reauthorization of the Tribally Controlled College or University Assistance Act of 1978.*

##### *SUBPART 2—NAVAJO HIGHER EDUCATION*

*Sec. 945. Short title.*

*Sec. 946. Reauthorization of Navajo Community College Act.*

### **1 SEC. 2. REFERENCES.**

2       *Except as otherwise expressly provided, whenever in*  
 3 *this Act an amendment or repeal is expressed in terms of*  
 4 *an amendment to, or repeal of, a section or other provision,*  
 5 *the reference shall be considered to be made to a section or*  
 6 *other provision of the Higher Education Act of 1965 (20*  
 7 *U.S.C. 1001 et seq.).*

### **8 SEC. 3. GENERAL EFFECTIVE DATE.**

9       *Except as otherwise provided in this Act or the amend-*  
 10 *ments made by this Act, the amendments made by this Act*  
 11 *shall take effect on the date of enactment of this Act.*

## **12 TITLE I—GENERAL PROVISIONS**

### **13 SEC. 101. ADDITIONAL DEFINITIONS.**

14       *(a) AMENDMENT.—Section 103 (20 U.S.C. 1003) is*  
 15 *amended—*

16               *(1) by redesignating paragraphs (9) through (16)*  
 17 *as paragraphs (13) through (20); respectively;*

1           (2) by redesignating paragraphs (4) through (8)  
2           as paragraphs (7) through (11), respectively;

3           (3) by redesignating paragraphs (1), (2), and (3)  
4           as paragraphs (2), (4), and (5), respectively;

5           (4) by inserting before paragraph (2) (as redesign-  
6           ated by paragraph (2)) the following:

7           “(1) *AUTHORIZING COMMITTEES.*—The term ‘au-  
8           thorizing committees’ means the Committee on  
9           Health, Education, Labor, and Pensions of the Senate  
10          and the Committee on Education and Labor of the  
11          House of Representatives.”;

12          (5) by inserting after paragraph (2) (as redesign-  
13          ated by paragraph (3)) the following:

14          “(3) *CRITICAL FOREIGN LANGUAGE.*—The term  
15          ‘critical foreign language’ means each of the lan-  
16          guages contained in the list of critical languages des-  
17          ignated by the Secretary in the Federal Register on  
18          August 2, 1985 (50 Fed. Reg. 149, 31412; promul-  
19          gated under the authority of section 212(d) of the  
20          Education for Economic Security Act (repealed by  
21          section 2303 of the Augustus F. Hawkins-Robert T.  
22          Stafford Elementary and Secondary School Improve-  
23          ment Amendments of 1988)), except that in the imple-  
24          mentation of this definition with respect to a specific  
25          title, the Secretary may set priorities according to the

1 *purposes of such title and the national security, eco-*  
 2 *nomie competitiveness, and educational needs of the*  
 3 *United States.”;*

4 *(6) by inserting after paragraph (5) (as redesign-*  
 5 *ated by paragraph (3)) the following:*

6 *“(6) DISTANCE EDUCATION.—*

7 *“(A) IN GENERAL.—Except as otherwise*  
 8 *provided, the term ‘distance education’ means*  
 9 *education that uses 1 or more of the technologies*  
 10 *described in subparagraph (B)—*

11 *“(i) to deliver instruction to students*  
 12 *who are separated from the instructor; and*

13 *“(ii) to support regular and sub-*  
 14 *stantive interaction between the students*  
 15 *and the instructor, synchronously or asyn-*  
 16 *chronously.*

17 *“(B) INCLUSIONS.—For the purposes of sub-*  
 18 *paragraph (A), the technologies used may in-*  
 19 *clude—*

20 *“(i) the Internet;*

21 *“(ii) one-way and two-way trans-*  
 22 *missions through open broadcast, closed cir-*  
 23 *cuit, cable, microwave, broadband lines,*  
 24 *fiber optics, satellite, or wireless commu-*  
 25 *nications devices;*

1                   “(iii) audio conferencing; or

2                   “(iv) video cassette, DVDs, and CD-  
3                   ROMs, if the cassette, DVDs, and CD-ROMs  
4                   are used in a course in conjunction with the  
5                   technologies listed in clauses (i) through  
6                   (iii).”; and

7                   (7) by inserting after paragraph (11) (as redes-  
8                   ignated by paragraph (2)) the following:

9                   “(12) *POVERTY LINE*.—The term ‘poverty line’  
10                  means the poverty line (as defined in section 673(2)  
11                  of the Community Services Block Grant Act (42  
12                  U.S.C. 9902(2))) applicable to a family of the size in-  
13                  volved.”.

14                  (b) *CONFORMING AMENDMENTS*.—The Act (20 U.S.C.  
15                  1001 et seq.) is amended—

16                  (1) in section 131(a)(3)(B) (20 U.S.C.  
17                  1015(a)(3)(B)), by striking “Committee on Labor and  
18                  Human Resources of the Senate and the Committee  
19                  on Education and the Workforce of the House of Rep-  
20                  resentatives” and inserting “authorizing committees”;

21                  (2) in section 141(d)(4)(B) (20 U.S.C.  
22                  1018(d)(4)(B)), by striking “Committee on Education  
23                  and the Workforce of the House of Representatives  
24                  and the Committee on Labor and Human Resources

1       *of the Senate” and inserting “authorizing commit-*  
2       *tees”;*

3             *(3) in section 401(f)(3) (20 U.S.C. 1070a(f)(3)),*  
4       *by striking “to the Committee on Appropriations”*  
5       *and all that follows through “House of Representa-*  
6       *tives” and inserting “to the Committee on Appropria-*  
7       *tions of the Senate, the Committee on Appropriations*  
8       *of the House of Representatives, and the authorizing*  
9       *committees”;*

10            *(4) in section 428 (20 U.S.C. 1078)—*

11                *(A) in subsection (c)(9)(K), by striking*  
12       *“House Committee on Education and the Work-*  
13       *force and the Senate Committee on Labor and*  
14       *Human Resources” and inserting “authorizing*  
15       *committees”;*

16                *(B) in the matter following paragraph (2)*  
17       *of subsection (g), by striking “Committee on*  
18       *Labor and Human Resources of the Senate and*  
19       *the Committee on Education and the Workforce*  
20       *of the House of Representatives” and inserting*  
21       *“authorizing committees”; and*

22                *(C) in subsection (n)(4), by striking “Com-*  
23       *mittee on Education and the Workforce of the*  
24       *House of Representatives and the Committee on*



1       *Labor and Human Resources of the Senate*” and  
 2       inserting “authorizing committees”;

3       (5) in section 428A(c) (20 U.S.C. 1078–1(c))—

4           (A) in the matter preceding subparagraph  
 5       (A) of paragraph (2), by striking “Chairperson”  
 6       and all that follows through “House of Rep-  
 7       resentatives” and inserting “members of the au-  
 8       thorizing committees”;

9           (B) in paragraph (3), by striking “Chair-  
 10       person” and all that follows through “House of  
 11       Representatives” and inserting “members of the  
 12       authorizing committees”; and

13          (C) in paragraph (5), by striking “Chair-  
 14       person” and all that follows through “House of  
 15       Representatives” and inserting “members of the  
 16       authorizing committees”;

17       (6) in section 432 (20 U.S.C. 1082)—

18           (A) in subsection (f)(1)(C), by striking “the  
 19       Committee on Education and the Workforce of  
 20       the House of Representatives or the Committee  
 21       on Labor and Human Resources of the Senate”  
 22       and inserting “either of the authorizing commit-  
 23       tees”; and

24           (B) in the matter following subparagraph  
 25       (D) of subsection (n)(3), by striking “Committee

1           *on Education and the Workforce of the House of*  
 2           *Representatives and the Committee on Labor*  
 3           *and Human Resources of the Senate” and insert-*  
 4           *ing “authorizing committees”;*

5           *(7) in section 437(c)(1) (20 U.S.C. 1087(c)(1)),*  
 6           *by striking “Committee on Education and the Work-*  
 7           *force of the House of Representatives and the Com-*  
 8           *mittee on Labor and Human Resources of the Senate”*  
 9           *and inserting “authorizing committees”;*

10          *(8) in section 439 (20 U.S.C. 1087–2)—*

11           *(A) in subsection (d)(1)(E)(iii), by striking*  
 12           *“advise the Chairman” and all that follows*  
 13           *through “House of Representatives” and insert-*  
 14           *ing “advise the members of the authorizing com-*  
 15           *mittees”;*

16           *(B) in subsection (r)—*

17           *(i) in paragraph (3), by striking “in-*  
 18           *form the Chairman” and all that follows*  
 19           *through “House of Representatives,” and in-*  
 20           *serting “inform the members of the author-*  
 21           *izing committees”;*

22           *(ii) in paragraph (5)(B), by striking*  
 23           *“plan, to the Chairman” and all that fol-*  
 24           *lows through “Education and Labor” and*

1           inserting “plan, to the members of the au-  
2           thorizing committees”;

3           (iii) in paragraph (6)(B)—

4                 (I) by striking “plan, to the  
5                 Chairman” and all that follows  
6                 through “House of Representatives”  
7                 and inserting “plan, to the members of  
8                 the authorizing committees”; and

9                 (II) by striking “Chairmen and  
10                ranking minority members of such  
11                Committees” and inserting “members  
12                of the authorizing committees”;

13           (iv) in paragraph (8)(C), by striking  
14           “implemented to the Chairman” and all  
15           that follows through “House of Representa-  
16           tives, and” and inserting “implemented to  
17           the members of the authorizing committees,  
18           and to”; and

19           (v) in the matter preceding subpara-  
20           graph (A) of paragraph (10), by striking  
21           “days to the Chairman” and all that follows  
22           through “Education and Labor” and insert-  
23           ing “days to the members of the authorizing  
24           committees”; and

25           (C) in subsection (s)(2)—

1                   (i) in the matter preceding clause (i) of  
 2                   subparagraph (A), by striking “Treasury  
 3                   and to the Chairman” and all that follows  
 4                   through “House of Representatives” and in-  
 5                   serting “Treasury and to the members of the  
 6                   authorizing committees”; and

7                   (ii) in subparagraph (B), by striking  
 8                   “Treasury and to the Chairman” and all  
 9                   that follows through “House of Representa-  
 10                  tives” and inserting “Treasury and to the  
 11                  members of the authorizing committees”;

12               (9) in section 455(b)(8)(B) (20 U.S.C.  
 13               1087e(b)(8)(B)), by striking “Committee on Labor  
 14               and Human Resources of the Senate and the Com-  
 15               mittee on Education and the Workforce of the House  
 16               of Representatives” and inserting “authorizing com-  
 17               mittees”;

18               (10) in section 482(d) (20 U.S.C. 1089(d)), by  
 19               striking “Committee on Labor and Human Resources  
 20               of the Senate and the Committee on Education and  
 21               Labor of the House of Representatives” and inserting  
 22               “authorizing committees”;

23               (11) in section 483(c) (20 U.S.C. 1090(c)), by  
 24               striking “Committee on Labor and Human Resources  
 25               of the Senate and the Committee on Education and

1 *the Workforce of the House of Representatives” and*  
 2 *inserting “authorizing committees”;*

3 *(12) in section 485 (20 U.S.C. 1092)—*

4 *(A) in subsection (f)(5)(A), by striking*  
 5 *“Committee on Education and the Workforce of*  
 6 *the House of Representatives and the Committee*  
 7 *on Labor and Human Resources of the Senate”*  
 8 *and inserting “authorizing committees”; and*

9 *(B) in subsection (g)(4)(B), by striking*  
 10 *“Committee on Education and the Workforce of*  
 11 *the House of Representatives and the Committee*  
 12 *on Labor and Human Resources of the Senate”*  
 13 *and inserting “authorizing committees”;*

14 *(13) in section 486 (20 U.S.C. 1093)—*

15 *(A) in subsection (e), by striking “Com-*  
 16 *mittee on Labor and Human Resources of the*  
 17 *Senate and the Committee on Education and the*  
 18 *Workforce of the House of Representatives” and*  
 19 *inserting “authorizing committees”; and*

20 *(B) in subsection (f)(3)—*

21 *(i) in the matter preceding clause (i) of*  
 22 *subparagraph (A), by striking “Committee*  
 23 *on Labor and Human Resources of the Sen-*  
 24 *ate and the Committee on Education and*  
 25 *the Workforce of the House of Representa-*

1                    *tives” and inserting “authorizing commit-*  
 2                    *tees”; and*

3                    *(ii) in the matter preceding clause (i)*  
 4                    *of subparagraph (B), by striking “Com-*  
 5                    *mittee on Labor and Human Resources of*  
 6                    *the Senate and the Committee on Education*  
 7                    *and the Workforce of the House of Rep-*  
 8                    *resentatives” and inserting “authorizing*  
 9                    *committees”;*

10                  *(14) in section 487A(a)(5) (20 U.S.C.*  
 11                  *1094a(a)(5)), by striking “Committee on Labor and*  
 12                  *Human Resources of the Senate and the Committee*  
 13                  *on Education and the Workforce of the House of Rep-*  
 14                  *resentatives” and inserting “authorizing committees”;*  
 15                  *and*

16                  *(15) in section 498B(d) (20 U.S.C. 1099c-*  
 17                  *2(d))—*

18                  *(A) in paragraph (1), by striking “Com-*  
 19                  *mittee on Labor and Human Resources of the*  
 20                  *Senate and the Committee on Education and the*  
 21                  *Workforce of the House of Representatives” and*  
 22                  *inserting “authorizing committees”; and*

23                  *(B) in paragraph (2), by striking “Com-*  
 24                  *mittee on Labor and Human Resources of the*  
 25                  *Senate and the Committee on Education and the*

1           *Workforce of the House of Representatives” and*  
2           *inserting “authorizing committees”.*

3   **SEC. 102. GENERAL DEFINITION OF INSTITUTION OF HIGH-**  
4           **ER EDUCATION.**

5       *Section 101 (20 U.S.C. 1001) is amended—*

6           *(1) in subsection (a)(3), by inserting “, or*  
7       *awards a degree that is acceptable for admission to*  
8       *a graduate or professional degree program, subject to*  
9       *the review and approval by the Secretary” after “such*  
10      *a degree”; and*

11          *(2) by striking subsection (b)(2) and inserting*  
12      *the following:*

13          *“(2) a public or nonprofit private educational*  
14      *institution in any State that, in lieu of the require-*  
15      *ment in subsection (a)(1), admits as regular students*  
16      *persons—*

17          *“(A) who are beyond the age of compulsory*  
18      *school attendance in the State in which the insti-*  
19      *tution is located; or*

20          *“(B) who will be dually or concurrently en-*  
21      *rolled in the institution and a secondary*  
22      *school.”.*

1 **SEC. 103. DEFINITION OF INSTITUTION OF HIGHER EDU-**  
 2 **CATION FOR PURPOSES OF TITLE IV PRO-**  
 3 **GRAMS.**

4 *Section 102 (20 U.S.C. 1002) is amended—*

5 *(1) by striking subclause (II) of subsection*  
 6 *(a)(2)(A)(i) and inserting the following:*

7 *“(II) the institution has or had a*  
 8 *clinical training program that was ap-*  
 9 *proved by a State as of January 1,*  
 10 *1992, and has continuously operated a*  
 11 *clinical training program in not less*  
 12 *than 1 State that is approved by such*  
 13 *State;”;*

14 *(2) in subsection (b)—*

15 *(A) in paragraph (1)—*

16 *(i) in subparagraph (D), by inserting*  
 17 *“and” after the semicolon;*

18 *(ii) in subparagraph (E), by striking*  
 19 *“; and” and inserting a period; and*

20 *(iii) by striking subparagraph (F);*  
 21 *and*

22 *(B) by striking paragraph (2) and inserting*  
 23 *the following:*

24 *“(2) ADDITIONAL INSTITUTIONS.—The term ‘pro-*  
 25 *prietary institution of higher education’ also includes*  
 26 *a proprietary educational institution in any State*



1       *that, in lieu of the requirement in section 101(a)(1),*  
 2       *admits as regular students persons—*

3               “(A) *who are beyond the age of compulsory*  
 4               *school attendance in the State in which the insti-*  
 5               *tution is located; or*

6               “(B) *who will be dually or concurrently en-*  
 7               *rolled in the institution and a secondary*  
 8               *school.”; and*

9               (3) *by striking subsection (c)(2) and inserting*  
 10       *the following:*

11               “(2) *ADDITIONAL INSTITUTIONS.—The term*  
 12               *‘postsecondary vocational institution’ also includes an*  
 13               *educational institution in any State that, in lieu of*  
 14               *the requirement in section 101(a)(1), admits as reg-*  
 15               *ular students persons—*

16               “(A) *who are beyond the age of compulsory*  
 17               *school attendance in the State in which the insti-*  
 18               *tution is located; or*

19               “(B) *who will be dually or concurrently en-*  
 20               *rolled in the institution and a secondary*  
 21               *school.”.*

22       **SEC. 104. PROTECTION OF STUDENT SPEECH AND ASSOCIA-**  
 23       **TION RIGHTS.**

24       *Section 112 (20 U.S.C. 1011a) is amended—*

25               (1) *in subsection (a)—*

1                   (A) by inserting “(1)” before “It is the  
2                   sense”; and

3                   (B) by adding at the end the following:

4                   “(2) It is the sense of Congress that—

5                   “(A) the diversity of institutions and educational  
6                   missions is one of the key strengths of American high-  
7                   er education;

8                   “(B) individual colleges and universities have  
9                   different missions and each institution should design  
10                  its academic program in accordance with its edu-  
11                  cational goals;

12                  “(C) a college should facilitate the free and open  
13                  exchange of ideas;

14                  “(D) students should not be intimidated, har-  
15                  assed, discouraged from speaking out, or discrimi-  
16                  nated against;

17                  “(E) students should be treated equally and fair-  
18                  ly; and

19                  “(F) nothing in this paragraph shall be con-  
20                  strued to modify, change, or infringe upon any con-  
21                  stitutionally protected religious liberty, freedom, ex-  
22                  pression, or association.”; and

23                  (2) in subsection (b)(1), by inserting “, provided  
24                  that the imposition of such sanction is done objec-  
25                  tively and fairly” after “higher education”.

1 **SEC. 105. ACCREDITATION AND INSTITUTIONAL QUALITY**  
 2 **AND INTEGRITY ADVISORY COMMITTEE.**

3 (a) *IN GENERAL.*—Section 114 (20 U.S.C. 1011c) is  
 4 amended to read as follows:

5 **“SEC. 114. ACCREDITATION AND INSTITUTIONAL QUALITY**  
 6 **AND INTEGRITY COMMITTEE.**

7 “(a) *ESTABLISHMENT.*—There is established in the De-  
 8 partment an Accreditation and Institutional Quality and  
 9 Integrity Advisory Committee (in this section referred to  
 10 as the ‘Committee’) to assess the process of accreditation  
 11 and the institutional eligibility and certification of such in-  
 12 stitutions under title IV.

13 “(b) *MEMBERSHIP.*—

14 “(1) *IN GENERAL.*—The Committee shall have 15  
 15 members, of which—

16 “(A) 5 members shall be appointed by the  
 17 Secretary;

18 “(B) 5 members shall be appointed by the  
 19 Speaker of the House of Representatives upon the  
 20 recommendation of the majority leader and mi-  
 21 nority leader of the House of Representatives;  
 22 and

23 “(C) 5 members shall be appointed by the  
 24 President pro tempore of the Senate upon the  
 25 recommendation of the majority leader and mi-  
 26 nority leader of the Senate.

1           “(2) *QUALIFICATIONS.*—*Individuals shall be ap-*  
 2           *pointed as members of the Committee on—*

3                   “(A) *the basis of the individuals’ experience,*  
 4                   *integrity, impartiality, and good judgment;*

5                   “(B) *from among individuals who are rep-*  
 6                   *resentatives of, or knowledgeable concerning, edu-*  
 7                   *cation and training beyond secondary education,*  
 8                   *representatives of all sectors and types of institu-*  
 9                   *tions of higher education (as defined in section*  
 10                   *102); and*

11                   “(C) *on the basis of the individuals’ tech-*  
 12                   *nical qualifications, professional standing, and*  
 13                   *demonstrated knowledge in the fields of accredi-*  
 14                   *tation and administration in higher education.*

15           “(3) *TERMS OF MEMBERS.*—*The term of office of*  
 16           *each member of the Committee shall be for 6 years,*  
 17           *except that any member appointed to fill a vacancy*  
 18           *occurring prior to the expiration of the term for*  
 19           *which the member’s predecessor was appointed shall*  
 20           *be appointed for the remainder of such term.*

21           “(4) *VACANCY.*—*A vacancy on the Committee*  
 22           *shall be filled in the same manner as the original ap-*  
 23           *pointment was made not later than 90 days after the*  
 24           *vacancy occurred. If a vacancy occurs in a position*  
 25           *to be filled by the Secretary, the Secretary shall pub-*

1        *lish a Federal Register notice soliciting nominations*  
 2        *for the position not later than 30 days after being no-*  
 3        *tified of the vacancy.*

4                *“(5) INITIAL TERMS.—The terms of office for the*  
 5        *initial members of the Committee shall be—*

6                        *“(A) 2 years for members appointed under*  
 7        *paragraph (1)(A);*

8                        *“(B) 4 years for members appointed under*  
 9        *paragraph (1)(B); and*

10                      *“(C) 6 years for members appointed under*  
 11        *paragraph (1)(C).*

12                *“(6) CHAIRPERSON.—The members of the Com-*  
 13        *mittee shall select a chairperson from among the*  
 14        *members.*

15        *“(c) FUNCTIONS.—The Committee shall—*

16                      *“(1) advise the Secretary with respect to estab-*  
 17        *lishment and enforcement of the standards of accred-*  
 18        *iting agencies or associations under subpart 2 of part*  
 19        *H of title IV;*

20                      *“(2) advise the Secretary with respect to the rec-*  
 21        *ognition of a specific accrediting agency or associa-*  
 22        *tion;*

23                      *“(3) advise the Secretary with respect to the*  
 24        *preparation and publication of the list of nationally*  
 25        *recognized accrediting agencies and associations;*

1           “(4) advise the Secretary with respect to the eli-  
 2           gibility and certification process for institutions of  
 3           higher education under title IV, together with rec-  
 4           ommendations for improvements in such process;

5           “(5) advise the Secretary with respect to the re-  
 6           lationship between—

7                   “(A) accreditation of institutions of higher  
 8                   education and the certification and eligibility of  
 9                   such institutions; and

10                   “(B) State licensing responsibilities with re-  
 11                   spect to such institutions; and

12           “(6) carry out such other advisory functions re-  
 13           lating to accreditation and institutional eligibility as  
 14           the Secretary may prescribe in regulation.

15           “(d) *MEETING PROCEDURES.*—

16                   “(1) *SCHEDULE.*—

17                           “(A) *BIANNUAL MEETINGS.*—The Committee  
 18                           shall meet not less often than twice each year, at  
 19                           the call of the Chairperson.

20                           “(B) *PUBLICATION OF DATE.*—The Com-  
 21                           mittee shall submit the date and location of each  
 22                           meeting in advance to the Secretary, and the  
 23                           Secretary shall publish such information in the  
 24                           Federal Register not later than 30 days before  
 25                           the meeting.

1 “(2) *AGENDA.*—

2 “(A) *ESTABLISHMENT.*—*The agenda for a*  
3 *meeting of the Committee shall be established by*  
4 *the Chairperson and shall be submitted to the*  
5 *members of the Committee upon notification of*  
6 *the meeting.*

7 “(B) *OPPORTUNITY FOR PUBLIC COM-*  
8 *MENT.*—*The agenda shall include, at a min-*  
9 *imum, opportunity for public comment during*  
10 *the Committee’s deliberations.*

11 “(3) *SECRETARY’S DESIGNEE.*—

12 “(A) *ATTENDANCE AT MEETING.*—*The*  
13 *Chairperson shall invite the Secretary’s designee*  
14 *to attend all meetings of the Committee.*

15 “(B) *ROLE OF DESIGNEE.*—*The Secretary’s*  
16 *designee may be present at a Committee meeting*  
17 *to facilitate the exchange and free flow of infor-*  
18 *mation between the Secretary and the Com-*  
19 *mittee. The designee shall have no authority over*  
20 *the agenda of the meeting, the items on that*  
21 *agenda, or on the resolution of any agenda item.*

22 “(4) *FEDERAL ADVISORY COMMITTEE ACT.*—*The*  
23 *provisions of the Federal Advisory Committee Act (5*  
24 *U.S.C. App.) shall apply to the Committee, except*  
25 *that section 14 of such Act shall not apply.*

1 “(e) *REPORT AND NOTICE.*—

2 “(1) *NOTICE.*—*The Secretary shall annually*  
3 *publish in the Federal Register—*

4 “(A) *a list containing, for each member of*  
5 *the Committee—*

6 “(i) *the member’s name;*

7 “(ii) *the date of the expiration of the*  
8 *member’s term of office; and*

9 “(iii) *the individual described in sub-*  
10 *section (b)(1) who appointed the member;*  
11 *and*

12 “(B) *a solicitation of nominations for each*  
13 *expiring term of office on the Committee of a*  
14 *member appointed by the Secretary.*

15 “(2) *REPORT.*—*Not later than September 30 of*  
16 *each year, the Committee shall make an annual re-*  
17 *port to the Secretary, the authorizing committees, and*  
18 *the public. The annual report shall contain—*

19 “(A) *a detailed summary of the agenda and*  
20 *activities of, and the findings and recommenda-*  
21 *tions made by, the Committee during the pre-*  
22 *ceding fiscal year;*

23 “(B) *a list of the date and location of each*  
24 *meeting during the preceding fiscal year;*



1                   “(C) a list of the members of the Committee  
2                   and appropriate contact information; and

3                   “(D) a list of the functions of the Com-  
4                   mittee, including any additional functions estab-  
5                   lished by the Secretary through regulation.

6           “(f) *TERMINATION.*—The Committee shall terminate  
7   on September 30, 2012.”.

8           (b) *TERMINATION OF NACIQI.*—The National Advi-  
9   sory Committee on Institutional Quality and Integrity, es-  
10   tablished under section 114 of the Higher Education Act  
11   of 1965 (as such section was in effect the day before the  
12   date of enactment of this Act) shall terminate 90 days after  
13   such date.

14   **SEC. 106. DRUG AND ALCOHOL ABUSE PREVENTION.**

15           Section 120(a)(2) (20 U.S.C. 1011i(a)(2)) is amend-  
16   ed—

17                   (1) in subparagraph (A), by striking “and” after  
18                   the semicolon;

19                   (2) by redesignating subparagraph (B) as sub-  
20                   paragraph (D); and

21                   (3) by inserting after subparagraph (A) (as  
22                   amended by paragraph (1)) the following:

23                           “(B) determine the number of drug and al-  
24                           cohol-related incidents and fatalities that—

1                   “(i) occur on the institution’s property  
 2                   or as part of any of the institution’s activi-  
 3                   ties; and

4                   “(ii) are reported to the institution;

5                   “(C) determine the number and type of  
 6                   sanctions described in paragraph (1)(E) that are  
 7                   imposed by the institution as a result of drug  
 8                   and alcohol-related incidents and fatalities on  
 9                   the institution’s property or as part of any of the  
 10                  institution’s activities; and”.

11 **SEC. 107. PRIOR RIGHTS AND OBLIGATIONS.**

12           Section 121(a) (20 U.S.C. 1011j(a)) is amended—

13                   (1) in paragraph (1), by striking “1999 and for  
 14                   each of the 4 succeeding fiscal years” and inserting  
 15                   “2008 and for each succeeding fiscal year”; and

16                   (2) in paragraph (2), by striking “1999 and for  
 17                   each of the 4 succeeding fiscal years” and inserting  
 18                   “2008 and for each succeeding fiscal year”.

19 **SEC. 108. TRANSPARENCY IN COLLEGE TUITION FOR CON-**  
 20 **SUMERS.**

21           Part C of title I (20 U.S.C. 1015) is amended by add-  
 22           ing at the end the following:

1 **“SEC. 132. TRANSPARENCY IN COLLEGE TUITION FOR CON-**  
2 **SUMERS.**

3 “(a) *NET PRICE*.—*In this section, the term ‘net price’*  
4 *means the average yearly tuition and fees paid by a full-*  
5 *time undergraduate student at an institution of higher edu-*  
6 *cation, after discounts and grants from the institution, Fed-*  
7 *eral Government, or a State have been applied to the full*  
8 *price of tuition and fees at the institution.*

9 “(b) *HIGHER EDUCATION PRICE INDEX*.—

10 “(1) *IN GENERAL*.—*Not later than 1 year after*  
11 *the date of enactment of the Higher Education*  
12 *Amendments of 2007, the Commission of the Bureau*  
13 *of Labor Statistics, in consultation with the Commis-*  
14 *sioner of Education Statistics and representatives of*  
15 *institutions of higher education, shall develop higher*  
16 *education price indices that accurately reflect the an-*  
17 *nuual change in tuition and fees for undergraduate*  
18 *students in the categories of institutions listed in*  
19 *paragraph (2). Such indices shall be updated annu-*  
20 *ally.*

21 “(2) *DEVELOPMENT*.—*The higher education*  
22 *price index under paragraph (1) shall be developed*  
23 *for each of the following categories:*

24 “(A) *4-year public degree-granting institu-*  
25 *tions of higher education.*

1                   “(B) 4-year private degree-granting institu-  
2                   tions of higher education.

3                   “(C) 2-year public degree-granting institu-  
4                   tions of higher education.

5                   “(D) 2-year private degree-granting institu-  
6                   tions of higher education.

7                   “(E) Less than 2-year institutions of higher  
8                   education.

9                   “(F) All types of institutions described in  
10                  subparagraphs (A) through (E).

11                  “(3) AUTHORIZATION OF APPROPRIATIONS.—  
12                  There are authorized to be appropriated to carry out  
13                  this subsection such sums as may be necessary.

14                  “(c) REPORTING.—

15                  “(1) IN GENERAL.—The Secretary shall annually  
16                  report, in a national list and in a list for each State,  
17                  a ranking of institutions of higher education accord-  
18                  ing to such institutions’ change in tuition and fees  
19                  over the preceding 2 years. The purpose of such lists  
20                  is to provide consumers with general information on  
21                  pricing trends among institutions of higher education  
22                  nationally and in each State.

23                  “(2) COMPILATION.—

1           “(A) *IN GENERAL.*—*The lists described in*  
2           *paragraph (1) shall be compiled according to the*  
3           *following categories:*

4                   “(i) *4-year public institutions of high-*  
5                   *er education.*

6                   “(ii) *4-year private, nonprofit institu-*  
7                   *tions of higher education.*

8                   “(iii) *4-year private, for-profit institu-*  
9                   *tions of higher education.*

10                  “(iv) *2-year public institutions of high-*  
11                  *er education.*

12                  “(v) *2-year private, nonprofit institu-*  
13                  *tions of higher education.*

14                  “(vi) *2-year private, for-profit institu-*  
15                  *tions of higher education.*

16                  “(vii) *Less than 2-year public institu-*  
17                  *tions of higher education.*

18                  “(viii) *Less than 2-year private, non-*  
19                  *profit institutions of higher education.*

20                  “(ix) *Less than 2-year private, for-*  
21                  *profit institutions of higher education.*

22           “(B) *PERCENTAGE AND DOLLAR CHANGE.*—  
23           *The lists described in paragraph (1) shall in-*  
24           *clude 2 lists for each of the categories under sub-*  
25           *paragraph (A) as follows:*

1                   “(i) 1 list in which data is compiled  
2                   by percentage change in tuition and fees  
3                   over the preceding 2 years.

4                   “(ii) 1 list in which data is compiled  
5                   by dollar change in tuition and fees over the  
6                   preceding 2 years.

7                   “(3) *HIGHER EDUCATION PRICE INCREASE*  
8                   *WATCH LISTS.*—Upon completion of the development  
9                   of the higher education price indices described in  
10                  paragraph (1), the Secretary shall annually report, in  
11                  a national list, and in a list for each State, a ranking  
12                  of each institution of higher education whose tuition  
13                  and fees outpace such institution’s applicable higher  
14                  education price index described in subsection (b).  
15                  Such lists shall—

16                  “(A) be known as the ‘Higher Education  
17                  Price Increase Watch Lists’;

18                  “(B) report the full price of tuition and fees  
19                  at the institution and the net price;

20                  “(C) where applicable, report the average  
21                  price of room and board for students living on  
22                  campus at the institution, except that such price  
23                  shall not be used in determining whether an in-  
24                  stitution’s cost outpaces such institution’s appli-  
25                  cable higher education price index; and

1           “(D) be compiled by the Secretary in a pub-  
 2           lic document to be widely published and dissemi-  
 3           nated in paper form and through the website of  
 4           the Department.

5           “(4) STATE HIGHER EDUCATION APPROPRIA-  
 6           TIONS CHART.—The Secretary shall annually report,  
 7           in charts for each State—

8                   “(A) a comparison of the percentage change  
 9                   in State appropriations per enrolled student in  
 10                  a public institution of higher education in the  
 11                  State to the percentage change in tuition and  
 12                  fees for each public institution of higher edu-  
 13                  cation in the State for each of the previous 5  
 14                  years; and

15                   “(B) the total amount of need-based and  
 16                  merit-based aid provided by the State to students  
 17                  enrolled in a public institution of higher edu-  
 18                  cation in the State.

19           “(5) SHARING OF INFORMATION.—The Secretary  
 20           shall share the information under paragraphs (1)  
 21           through (4) with the public, including with private  
 22           sector college guidebook publishers.

23           “(d) NET PRICE CALCULATOR.—

24                   “(1) DEVELOPMENT.—Not later than 1 year  
 25                  after the date of enactment of the Higher Education

1     *Amendments of 2007, the Secretary shall, in consulta-*  
2     *tion with institutions of higher education, develop*  
3     *and make several model net price calculators to help*  
4     *students, families, and consumers determine the net*  
5     *price of an institution of higher education, which in-*  
6     *stitutions of higher education may, at their discre-*  
7     *tion, elect to use pursuant to paragraph (3).*

8             “(2) *CATEGORIES.—The model net price calcula-*  
9     *tors described in paragraph (1) shall be developed for*  
10    *each of the following categories:*

11             “(A) *4-year public institutions of higher*  
12    *education.*

13             “(B) *4-year private, nonprofit institutions*  
14    *of higher education.*

15             “(C) *4-year private, for-profit institutions*  
16    *of higher education.*

17             “(D) *2-year public institutions of higher*  
18    *education.*

19             “(E) *2-year private, nonprofit institutions*  
20    *of higher education.*

21             “(F) *2-year private, for-profit institutions*  
22    *of higher education.*

23             “(G) *Less than 2-year public institutions of*  
24    *higher education.*



1                   “(H) *Less than 2-year private, nonprofit*  
 2                   *institutions of higher education.*

3                   “(I) *Less than 2-year private, for-profit in-*  
 4                   *stitutions of higher education.*

5                   “(3) *USE OF NET PRICE CALCULATOR BY INSTI-*  
 6                   *TUTIONS.—Not later than 3 years after the date of en-*  
 7                   *actment of the Higher Education Amendments of*  
 8                   *2007, each institution of higher education that re-*  
 9                   *ceives Federal funds under this Act shall adopt and*  
 10                  *use a net price calculator to help students, families,*  
 11                  *and other consumers determine the net price of such*  
 12                  *institution of higher education. Such calculator may*  
 13                  *be—*

14                  “(A) *based on a model calculator developed*  
 15                  *by the Department; or*

16                  “(B) *developed by the institution of higher*  
 17                  *education.*

18                  “(4) *AUTHORIZATION OF APPROPRIATIONS.—*  
 19                  *There are authorized to be appropriated to carry out*  
 20                  *this subsection such sums as may be necessary.*

21                  “(e) *NET PRICE REPORTING IN APPLICATION INFOR-*  
 22                  *MATION.—An institution of higher education that receives*  
 23                  *Federal funds under this Act shall include, in the materials*  
 24                  *accompanying an application for admission to the institu-*  
 25                  *tion, the most recent information regarding the net price*

1 *of the institution, calculated for each quartile of students*  
 2 *based on the income of either the students' parents or, in*  
 3 *the case of independent students (as such term is described*  
 4 *in section 480), of the students, for each of the 2 academic*  
 5 *years preceding the academic year for which the application*  
 6 *is produced.*

7 “(f) *ENHANCED COLLEGE INFORMATION WEBSITE.—*

8 “(1) *IN GENERAL.—*

9 “(A) *IN GENERAL.—Not later than 90 days*  
 10 *after the date of enactment of the Higher Edu-*  
 11 *cation Amendments of 2007, the Secretary shall*  
 12 *contract with an independent organization with*  
 13 *demonstrated experience in the development of*  
 14 *consumer-friendly websites to develop improve-*  
 15 *ments to the website known as the College Oppor-*  
 16 *tunities On-Line (COOL) so that it better meets*  
 17 *the needs of students, families, and consumers for*  
 18 *accurate and appropriate information on insti-*  
 19 *tutions of higher education.*

20 “(B) *IMPLEMENTATIONS.—Not later than 1*  
 21 *year after the date of enactment of the Higher*  
 22 *Education Amendments of 2007, the Secretary*  
 23 *shall implement the improvements developed by*  
 24 *the independent organization described under*

1           subparagraph (A) to the college information  
2           website.

3           “(2) UNIVERSITY AND COLLEGE ACCOUNTABILITY  
4           NETWORK.—Not later than 1 year after the date of  
5           enactment of the Higher Education Amendments of  
6           2007, the Secretary shall develop a model document  
7           for annually reporting basic information about an in-  
8           stitution of higher education that chooses to partici-  
9           pate, to be posted on the college information website  
10          and made available to institutions of higher edu-  
11          cation, students, families, and other consumers. Such  
12          document shall be known as the ‘University and Col-  
13          lege Accountability Network’ (U-CAN), and shall in-  
14          clude, the following information about the institution  
15          of higher education for the most recent academic year  
16          for which the institution has available data, presented  
17          in a consumer-friendly manner:

18                   “(A) A statement of the institution’s mis-  
19                   sion and specialties.

20                   “(B) The total number of undergraduate  
21                   students who applied, were admitted, and en-  
22                   rolled at the institution.

23                   “(C) Where applicable, reading, writing,  
24                   mathematics, and combined scores on the SAT or

1        *ACT for the middle 50 percent range of the insti-*  
2        *tution's freshman class.*

3                *“(D) Enrollment of full-time, part-time,*  
4        *and transfer students at the institution, at the*  
5        *undergraduate and (where applicable) graduate*  
6        *levels.*

7                *“(E) Percentage of male and female under-*  
8        *graduate students enrolled at the institution.*

9                *“(F) Percentage of enrolled undergraduate*  
10        *students from the State in which the institution*  
11        *is located, from other States, and from other*  
12        *countries.*

13                *“(G) Percentage of enrolled undergraduate*  
14        *students at the institution by race and ethnic*  
15        *background.*

16                *“(H) Retention rates for full-time and part-*  
17        *time first-time first-year undergraduate students*  
18        *enrolled at the institution.*

19                *“(I) Average time to degree or certificate*  
20        *completion for first-time, first-year under-*  
21        *graduate students enrolled at the institution.*

22                *“(J) Percentage of enrolled undergraduate*  
23        *students who graduate within 2 years (in the*  
24        *case of 2-year institutions), and 4, 5 and 6 years*  
25        *(in the case of 2 and 4-year institutions).*

1           “(K) Number of students who obtained a  
2           certificate or an associate’s, bachelor’s, master’s,  
3           or doctoral degree at the institution.

4           “(L) The undergraduate major areas of  
5           study with the highest number of degrees award-  
6           ed.

7           “(M) The student-faculty ratio, and number  
8           of full-time, part-time, and adjunct faculty at  
9           the institution.

10          “(N) Percentage of faculty at the institution  
11          with the highest degree in their field.

12          “(O) The percentage change in total price  
13          in tuition and fees and the net price for an un-  
14          dergraduate at the institution in each of the pre-  
15          ceding 5 academic years.

16          “(P) The total average yearly cost of tuition  
17          and fees, room and board, and books and other  
18          related costs for an undergraduate student en-  
19          rolled at the institution, for—

20               “(i) full-time undergraduate students  
21               living on campus;

22               “(ii) full-time undergraduate students  
23               living off-campus; and

24               “(iii) in the case of students attending  
25               a public institution of higher education,

1           *such costs for in-State and out-of-State stu-*  
2           *dents living on and off-campus.*

3           “(Q) *The average yearly grant amount (in-*  
4           *cluding Federal, State, and institutional aid) for*  
5           *a student enrolled at the institution.*

6           “(R) *The average yearly amount of Federal*  
7           *student loans, and other loans provided through*  
8           *the institution, to undergraduate students en-*  
9           *rolled at the institution.*

10          “(S) *The total yearly grant aid available to*  
11          *undergraduate students enrolled at the institu-*  
12          *tion, from the Federal Government, a State, the*  
13          *institution, and other sources.*

14          “(T) *The percentage of undergraduate stu-*  
15          *dents enrolled at the institution receiving Fed-*  
16          *eral, State, and institutional grants, student*  
17          *loans, and any other type of student financial*  
18          *assistance provided publicly or through the insti-*  
19          *tution, such as Federal work-study funds.*

20          “(U) *The average net price for all under-*  
21          *graduate students enrolled at the institution.*

22          “(V) *The percentage of first-year under-*  
23          *graduate students enrolled at the institution who*  
24          *live on campus and off campus.*

1           “(W) *Information on the policies of the in-*  
2           *stitution related to transfer of credit from other*  
3           *institutions.*

4           “(X) *Information on campus safety required*  
5           *to be collected under section 485(f).*

6           “(Y) *Links to the appropriate sections of the*  
7           *institution’s website that provide information on*  
8           *student activities offered by the institution, such*  
9           *as intercollegiate sports, student organizations,*  
10          *study abroad opportunities, intramural and club*  
11          *sports, specialized housing options, community*  
12          *service opportunities, cultural and arts opportu-*  
13          *nities on campus, religious and spiritual life on*  
14          *campus, and lectures and outside learning op-*  
15          *portunities.*

16          “(Z) *Links to the appropriate sections of*  
17          *the institution’s website that provide information*  
18          *on services offered by the institution to students*  
19          *during and after college, such as internship op-*  
20          *portunities, career and placement services, and*  
21          *preparation for further education.*

22          “(3) *CONSULTATION.—The Secretary shall en-*  
23          *sure that current and prospective college students,*  
24          *family members of such students, and institutions of*

1        *higher education are consulted in carrying out para-*  
 2        *graphs (1) and (2).*

3                “(4) *AUTHORIZATION OF APPROPRIATIONS.—*

4        *There are authorized to be appropriated to carry out*  
 5        *this subsection such sums as may be necessary.*

6                “(g) *GAO REPORT.—The Comptroller General of the*  
 7        *United States shall—*

8                “(1) *conduct a study on the time and cost bur-*  
 9        *dens to institutions of higher education associated*  
 10        *with completing the Integrated Postsecondary Edu-*  
 11        *cation Data System (IPEDS), which study shall—*

12                “(A) *report on the time and cost burden of*  
 13        *completing the IPEDS survey for 4-year, 2-year,*  
 14        *and less than 2-year institutions of higher edu-*  
 15        *cation; and*

16                “(B) *present recommendations for reducing*  
 17        *such burden;*

18                “(2) *not later than 1 year after the date of enact-*  
 19        *ment of the Higher Education Amendments of 2007,*  
 20        *submit to Congress a preliminary report regarding*  
 21        *the findings of the study described in paragraph (1);*  
 22        *and*

23                “(3) *not later than 2 years after the date of en-*  
 24        *actment of the Higher Education Amendments of*



1       2007, submit to Congress a final report regarding  
2       such findings.”.

3       **SEC. 109. DATABASES OF STUDENT INFORMATION PROHIB-**  
4                               **ITED.**

5       Part C of title I (20 U.S.C. 1015), as amended by sec-  
6       tion 108, is further amended by adding at the end the fol-  
7       lowing:

8       **“SEC. 133. DATABASE OF STUDENT INFORMATION PROHIB-**  
9                               **ITED.**

10       “(a) *PROHIBITION.*—Except as described in (b), noth-  
11       ing in this Act shall be construed to authorize the develop-  
12       ment, implementation, or maintenance of a Federal data-  
13       base of personally identifiable information on individuals  
14       receiving assistance under this Act, attending institutions  
15       receiving assistance under this Act, or otherwise involved  
16       in any studies or other collections of data under this Act,  
17       including a student unit record system, an education bar  
18       code system, or any other system that tracks individual stu-  
19       dents over time.

20       “(b) *EXCEPTION.*—The provisions of subsection (a)  
21       shall not affect the loan obligation enforcement activities  
22       described in section 485B.

23       “(c) *STATE DATABASES.*—Nothing in this Act shall  
24       prohibit a State or a consortium of States from developing,  
25       implementing, or maintaining State-developed databases

1 *that track individuals over time, including student unit*  
 2 *record systems that contain information related to enroll-*  
 3 *ment, attendance, graduation and retention rates, student*  
 4 *financial assistance, and graduate employment outcomes.”.*

5 **SEC. 110. CLEAR AND EASY-TO-FIND INFORMATION ON STU-**  
 6 **DENT FINANCIAL AID.**

7 *Part C of title I (as amended by sections 108 and 109)*  
 8 *is further amended by adding at the end the following:*

9 **“SEC. 134. CLEAR AND EASY-TO-FIND INFORMATION ON**  
 10 **STUDENT FINANCIAL AID.**

11 *“(a) PROMINENT DISPLAY.—The Secretary shall en-*  
 12 *sure that a link to current student financial aid informa-*  
 13 *tion is displayed prominently on the home page of the De-*  
 14 *partment website.*

15 *“(b) ENHANCED STUDENT FINANCIAL AID INFORMA-*  
 16 *TION.—*

17 *“(1) IN GENERAL.—Not later than 180 days*  
 18 *after the date of enactment of the Higher Education*  
 19 *Amendments of 2007, the Secretary shall contract*  
 20 *with an independent organization with demonstrated*  
 21 *expertise in the development of consumer-friendly*  
 22 *websites to develop improvements to the usefulness*  
 23 *and accessibility of the information provided by the*  
 24 *Department on college financial planning and stu-*  
 25 *dent financial aid.*

1           “(2) *IMPLEMENTATION.*—Not later than 1 year  
 2           after the date of enactment of the Higher Education  
 3           Amendments of 2007, the Secretary shall implement  
 4           the improvements developed by the independent orga-  
 5           nization described under paragraph (1) to the college  
 6           financial planning and student financial aid website  
 7           of the Department.

8           “(3) *DISSEMINATION.*—The Secretary shall make  
 9           the availability of the information on the website  
 10          widely known through a major media campaign and  
 11          other forms of communication.”.

12 **SEC. 111. PERFORMANCE-BASED ORGANIZATION FOR THE**  
 13                               **DELIVERY OF FEDERAL STUDENT FINANCIAL**  
 14                               **ASSISTANCE.**

15          Section 141 (20 U.S.C. 1018) is amended—

16               (1) in subsection (a)—

17                       (A) in paragraph (1), by striking “oper-  
 18                       ational” and inserting “administrative and  
 19                       oversight”; and

20                       (B) in paragraph (2)(D), by striking “of  
 21                       the operational functions” and inserting “and  
 22                       administration”;

23               (2) in subsection (b)—

24                       (A) in paragraph (1)—

1           (i) in subparagraph (A), by striking  
 2           “the information systems administered by  
 3           the PBO, and other functions performed by  
 4           the PBO” and inserting “the Federal stu-  
 5           dent financial assistance programs author-  
 6           ized under title IV”; and

7           (ii) by striking subparagraph (C) and  
 8           inserting the following:

9           “(C) assist the Chief Operating Officer in  
 10          identifying goals for—

11           “(i) the administration of the systems  
 12          used to administer the Federal student fi-  
 13          nancial assistance programs authorized  
 14          under title IV; and

15           “(ii) the updating of such systems to  
 16          current technology.”; and

17          (B) in paragraph (2)—

18           (i) in the matter preceding subpara-  
 19          graph (A), by striking “administration of  
 20          the information and financial systems that  
 21          support” and inserting “the administration  
 22          of Federal”;

23           (ii) in subparagraph (A)—

24           (I) in the matter preceding clause

25           (i), by striking “of the delivery system

1 *for Federal student assistance” and in-*  
 2 *serting “for the Federal student assist-*  
 3 *ance programs authorized under title*  
 4 *IV”;*

5 *(II) by striking clauses (i) and*  
 6 *(ii) and inserting the following:*

7 *“(i) the collection, processing, and*  
 8 *transmission of data to students, institu-*  
 9 *tions, lenders, State agencies, and other au-*  
 10 *thorized parties;*

11 *“(ii) the design and technical specifica-*  
 12 *tions for software development and procure-*  
 13 *ment for systems supporting the student fi-*  
 14 *nancial assistance programs authorized*  
 15 *under title IV;”;*

16 *(III) in clause (iii), by striking*  
 17 *“delivery” and inserting “administra-*  
 18 *tion”;*

19 *(IV) in clause (iv)—*

20 *(aa) by inserting “the” after*  
 21 *“supporting”; and*

22 *(bb) by striking “and” after*  
 23 *the semicolon;*

24 *(V) in clause (v), by striking “sys-*  
 25 *tems that support those programs.”*

1                   *and inserting “the administration of*  
 2                   *the Federal student assistance pro-*  
 3                   *grams authorized under title IV; and”;*  
 4                   *and*

5                   *(VI) by adding at the end the fol-*  
 6                   *lowing:*

7                   *“(vi) ensuring the integrity of the stu-*  
 8                   *dent assistance programs authorized under*  
 9                   *title IV.”; and*

10                  *(iii) in subparagraph (B), by striking*  
 11                  *“operations and services” and inserting*  
 12                  *“activities and functions”; and*

13                  *(3) in subsection (c)—*

14                  *(A) in the subsection heading, by striking*  
 15                  *“PERFORMANCE PLAN AND REPORT” and insert-*  
 16                  *ing “PERFORMANCE PLAN, REPORT, AND BRIEF-*  
 17                  *ING”;*

18                  *(B) in paragraph (1)(C)—*

19                  *(i) in clause (iii), by striking “infor-*  
 20                  *mation and delivery”; and*

21                  *(ii) in clause (iv)—*

22                  *(I) by striking “Developing an”*  
 23                  *and inserting “Developing”; and*

1                   (II) by striking “delivery and in-  
2                   formation system” and inserting “sys-  
3                   tems”;

4                   (C) in paragraph (2)—

5                   (i) in subparagraph (A), by inserting  
6                   “the” after “PBO and”; and

7                   (ii) in subparagraph (B), by striking  
8                   “Officer” and inserting “Officers”;

9                   (D) in paragraph (3), by inserting “stu-  
10                  dents,” after “consult with”; and

11                  (E) by adding at the end the following:

12                  “(4) BRIEFING ON ENFORCEMENT OF STUDENT  
13                  LOAN PROVISIONS.—The Chief Operating Officer shall  
14                  provide an annual briefing to the members of the au-  
15                  thorizing committees on the steps the PBO has taken  
16                  and is taking to ensure that lenders are providing the  
17                  information required under clauses (iii) and (iv) of  
18                  section 428(c)(3)(C) and sections 428(b)(1)(Z) and  
19                  428C(b)(1)(F).”;

20                  (4) in subsection (d)—

21                  (A) in paragraph (1), by striking the second  
22                  sentence; and

23                  (B) in paragraph (5)—

1                   (i) in subparagraph (B), by striking  
2                   “paragraph (2)” and inserting “paragraph  
3                   (4)”; and

4                   (ii) in subparagraph (C), by striking  
5                   “this”;

6                   (5) in subsection (f)—

7                   (A) in paragraph (2), by striking “to bor-  
8                   rowers” and inserting “to students, borrowers,”;  
9                   and

10                  (B) in paragraph (3)(A), by striking  
11                  “(1)(A)” and inserting “(1)”;

12                  (6) in subsection (g)(3), by striking “not more  
13                  than 25”;

14                  (7) in subsection (h), by striking “organizational  
15                  effectiveness” and inserting “effectiveness”;

16                  (8) by striking subsection (i);

17                  (9) by redesignating subsection (j) as subsection  
18                  (i); and

19                  (10) in subsection (i) (as redesignated by para-  
20                  graph (9)), by striking “, including transition costs”.

21 **SEC. 112. PROCUREMENT FLEXIBILITY.**

22                  Section 142 (20 U.S.C. 1018a) is amended—

23                  (1) in subsection (b)—

24                  (A) in paragraph (1)—



1                   (i) by striking “for information sys-  
2                   tems supporting the programs authorized  
3                   under title IV”; and

4                   (ii) by striking “and” after the semi-  
5                   colon;

6                   (B) in paragraph (2), by striking the period  
7                   at the end and inserting “; and”; and

8                   (C) by adding at the end the following:

9                   “(3) through the Chief Operating Officer—

10                   “(A) to the maximum extent practicable,  
11                   utilize procurement systems that streamline op-  
12                   erations, improve internal controls, and enhance  
13                   management; and

14                   “(B) assess the efficiency of such systems  
15                   and assess such systems’ ability to meet PBO re-  
16                   quirements.”;

17                   (2) by striking subsection (c)(2) and inserting  
18                   the following:

19                   “(2) *FEE FOR SERVICE ARRANGEMENTS.*—The  
20                   Chief Operating Officer shall, when appropriate and  
21                   consistent with the purposes of the PBO, acquire serv-  
22                   ices related to the functions set forth in section  
23                   141(b)(2) from any entity that has the capability and  
24                   capacity to meet the requirements set by the PBO.  
25                   The Chief Operating Officer is authorized to pay fees

1 *that are equivalent to those paid by other entities to*  
 2 *an organization that provides services that meet the*  
 3 *requirements of the PBO, as determined by the Chief*  
 4 *Operating Officer.”;*

5 *(3) in subsection (d)(2)(B), by striking “on Fed-*  
 6 *eral Government contracts”;*

7 *(4) in subsection (g)—*

8 *(A) in paragraph (4)(A)—*

9 *(i) in the subparagraph heading, by*  
 10 *striking “SOLE SOURCE.—” and inserting*  
 11 *“SINGLE-SOURCE BASIS.—”; and*

12 *(ii) by striking “sole-source” and in-*  
 13 *serting “single-source”; and*

14 *(B) in paragraph (7), by striking “sole-*  
 15 *source” and inserting “single-source”;*

16 *(5) in subsection (h)(2)(A), by striking “sole-*  
 17 *source” and inserting “single-source”; and*

18 *(6) in subsection (l), by striking paragraph (3)*  
 19 *and inserting the following:*

20 *“(3) SINGLE-SOURCE BASIS.—The term ‘single-*  
 21 *source basis’, with respect to an award of a contract,*  
 22 *means that the contract is awarded to a source after*  
 23 *soliciting an offer or offers from, and negotiating*  
 24 *with, only such source (although such source is not*  
 25 *the only source in the marketplace capable of meeting*

1        *the need) because such source is the most advan-*  
 2        *tageous source for purposes of the award.”.*

3        **SEC. 113. INSTITUTION AND LENDER REPORTING AND DIS-**  
 4        **CLOSURE REQUIREMENTS.**

5        *Title I (20 U.S.C. 1001 et seq.) is amended by adding*  
 6        *at the end the following:*

7        **“PART E—LENDER AND INSTITUTION REQUIRE-**  
 8        **MENTS RELATING TO EDUCATIONAL LOANS**

9        **“SEC. 151. DEFINITIONS.**

10        *“In this part:*

11                *“(1) COST OF ATTENDANCE.—The term ‘cost of*  
 12                *attendance’ has the meaning given the term in section*  
 13                *472.*

14                *“(2) COVERED INSTITUTION.—The term ‘covered*  
 15                *institution’—*

16                        *“(A) means any educational institution*  
 17                        *that offers a postsecondary educational degree,*  
 18                        *certificate, or program of study (including any*  
 19                        *institution of higher education, as such term is*  
 20                        *defined in section 102) and receives any Federal*  
 21                        *funding or assistance; and*

22                        *“(B) includes any employee or agent of the*  
 23                        *educational institution or any organization or*  
 24                        *entity affiliated with, or directly or indirectly*  
 25                        *controlled by, such institution.*

1           “(3) *EDUCATIONAL LOAN*.—The term ‘edu-  
 2           *cational loan*’ means any loan made, insured, or  
 3           *guaranteed under title IV.*

4           “(4) *EDUCATIONAL LOAN ARRANGEMENT*.—The  
 5           term ‘*educational loan arrangement*’ means an ar-  
 6           *rangement or agreement between a lender and a cov-*  
 7           *ered institution—*

8                   “(A) *under which arrangement or agree-*  
 9                   *ment a lender provides or otherwise issues edu-*  
 10                  *cational loans to the students attending the cov-*  
 11                  *ered institution or the parents of such students;*  
 12                  *and*

13                  “(B) *which arrangement or agreement—*

14                   “(i) *relates to the covered institution*  
 15                   *recommending, promoting, endorsing, or*  
 16                   *using educational loans of the lender; and*

17                   “(ii) *involves the payment of any fee*  
 18                   *or provision of other material benefit by the*  
 19                   *lender to the institution or to groups of stu-*  
 20                   *dents who attend the institution.*

21           “(5) *LENDER*.—The term ‘*lender*’—

22                   “(A) *means—*

23                   “(i) *any lender—*

1                   “(I) of a loan made, insured, or  
 2                   guaranteed under part B of title IV;  
 3                   and

4                   “(II) that is a financial institu-  
 5                   tion, as such term is defined in section  
 6                   509 of the Gramm-Leach-Bliley Act  
 7                   (15 U.S.C. 6809); and

8                   “(ii) in the case of any loan issued or  
 9                   provided to a student under part D of title  
 10                  IV, the Secretary; and

11                  “(B) includes any individual, group, or en-  
 12                  tity acting on behalf of the lender in connection  
 13                  with an educational loan.

14                  “(6) OFFICER.—The term ‘officer’ includes a di-  
 15                  rector or trustee of an institution.

16   **“SEC. 152. REQUIREMENTS FOR LENDERS AND INSTITU-**  
 17                   **TIONS PARTICIPATING IN EDUCATIONAL**  
 18                   **LOAN ARRANGEMENTS.**

19                  “(a) USE OF LENDER NAME.—A covered institution  
 20                  that enters into an educational loan arrangement shall dis-  
 21                  close the name of the lender in documentation related to  
 22                  the loan.

23                  “(b) DISCLOSURES.—

24                   “(1) DISCLOSURES BY LENDERS.—Before a lend-  
 25                  er issues or otherwise provides an educational loan to

1        *a student, the lender shall provide the student, in*  
 2        *writing, with the disclosures described in paragraph*  
 3        *(2).*

4                *“(2) DISCLOSURES.—The disclosures required by*  
 5        *this paragraph shall include a clear and prominent*  
 6        *statement—*

7                        *“(A) of the interest rates of the educational*  
 8        *loan being offered;*

9                        *“(B) showing sample educational loan costs,*  
 10        *disaggregated by type;*

11                        *“(C) that describes, with respect to each*  
 12        *type of educational loan being offered—*

13                                *“(i) the types of repayment plans that*  
 14        *are available;*

15                                *“(ii) whether, and under what condi-*  
 16        *tions, early repayment may be made with-*  
 17        *out penalty;*

18                                *“(iii) when and how often interest on*  
 19        *the loan will be capitalized;*

20                                *“(iv) the terms and conditions of*  
 21        *deferments or forbearance;*

22                                *“(v) all available repayment benefits,*  
 23        *the percentage of all borrowers who qualify*  
 24        *for such benefits, and the percentage of bor-*  
 25        *rowers who received such benefits in the pre-*

1                   ceding academic year, for each type of loan  
2                   being offered;

3                   “(vi) the collection practices in the case  
4                   of default; and

5                   “(vii) all fees that the borrower may be  
6                   charged, including late payment penalties  
7                   and associated fees; and

8                   “(D) of such other information as the Sec-  
9                   retary may require in regulations.

10                  “(c) *DISCLOSURES TO THE SECRETARY BY LENDER.*—

11                   “(1) *IN GENERAL.*—Each lender shall, on an an-  
12                   nual basis, report to the Secretary any reasonable ex-  
13                   penses paid or given under section 435(d)(5)(D),  
14                   487(a)(21)(A)(ii), or 487(a)(21)(A)(iv) to any em-  
15                   ployee who is employed in the financial aid office of  
16                   a covered institution, or who otherwise has respon-  
17                   sibilities with respect to educational loans or other fi-  
18                   nancial aid of the institution. Such reports shall in-  
19                   clude—

20                   “(A) the amount of each specific instance in  
21                   which the lender provided such reimbursement;

22                   “(B) the name of the financial aid official  
23                   or other employee to whom the reimbursement  
24                   was made;

1           “(C) the dates of the activity for which the  
2           reimbursement was made; and

3           “(D) a brief description of the activity for  
4           which the reimbursement was made.

5           “(2) *REPORT TO CONGRESS.*—The Secretary  
6           shall compile the information in paragraph (1) in a  
7           report and transmit such report to the authorizing  
8           committees annually.

9   **“SEC. 153. INTEREST RATE REPORT FOR INSTITUTIONS**  
10                   **AND LENDERS PARTICIPATING IN EDU-**  
11                   **CATIONAL LOAN ARRANGEMENTS.**

12           “(a) *SECRETARY DUTIES.*—

13           “(1) *REPORT AND MODEL FORMAT.*—Not later  
14           than 180 days after the date of enactment of the  
15           Higher Education Amendments of 2007, the Secretary  
16           shall—

17           “(A) prepare a report on the adequacy of  
18           the information provided to students and the  
19           parents of such students about educational loans,  
20           after consulting with students, representatives of  
21           covered institutions (including financial aid ad-  
22           ministrators, registrars, and business officers),  
23           lenders, loan servicers, and guaranty agencies;

24           “(B) include in the report a model format,  
25           based on the report’s findings, to be used by lend-



1        *ers and covered institutions in carrying out sub-*  
2        *sections (b) and (c)—*

3                *“(i) that provides information on the*  
4                *applicable interest rates and other terms*  
5                *and conditions of the educational loans pro-*  
6                *vided by a lender to students attending the*  
7                *institution, or the parents of such students,*  
8                *disaggregated by each type of educational*  
9                *loans provided to such students or parents*  
10               *by the lender, including—*

11               *“(I) the interest rate and terms*  
12               *and conditions of the loans offered by*  
13               *the lender for the upcoming academic*  
14               *year;*

15               *“(II) with respect to such loans,*  
16               *any benefits that are contingent on the*  
17               *repayment behavior of the borrower;*

18               *“(III) the average amount bor-*  
19               *rowed from the lender by students en-*  
20               *rolled in the institution who obtain*  
21               *loans of such type from the lender for*  
22               *the preceding academic year;*

23               *“(IV) the average interest rate on*  
24               *such loans provided to such students*  
25               *for the preceding academic year; and*

1                   “(V) *the amount that the borrower*  
 2                   *may repay in interest, based on the*  
 3                   *standard repayment period of a loan,*  
 4                   *on the average amount borrowed from*  
 5                   *the lender by students enrolled in the*  
 6                   *institution who obtain loans of such*  
 7                   *type from the lender for the preceding*  
 8                   *academic year; and*

9                   “(ii) *which format shall be easily usa-*  
 10                  *ble by lenders, institutions, guaranty agen-*  
 11                  *cies, loan servicers, parents, and students;*  
 12                  *and*

13                  “(C)(i) *submit the report and model format*  
 14                  *to the authorizing committees; and*

15                  “(ii) *make the report and model format*  
 16                  *available to covered institutions, lenders, and the*  
 17                  *public.*

18                  “(2) *USE OF FORM.—The Secretary shall take*  
 19                  *such steps as necessary to make the model format*  
 20                  *available to covered institutions and to encourage—*

21                  “(A) *lenders subject to subsection (b) to use*  
 22                  *the model format in providing the information*  
 23                  *required under subsection (b); and*

1                   “(B) covered institutions to use such format  
2                   in preparing the information report under sub-  
3                   section (c).

4           “(b) *LENDER DUTIES.*—Each lender that has an edu-  
5           cational loan arrangement with a covered institution shall  
6           annually, by a date determined by the Secretary, provide  
7           to the covered institution and to the Secretary the informa-  
8           tion included on the model format for each type of edu-  
9           cational loan provided by the lender to students attending  
10          the covered institution, or the parents of such students, for  
11          the preceding academic year.

12          “(c) *COVERED INSTITUTION DUTIES.*—Each covered  
13          institution shall—

14               “(1) prepare and submit to the Secretary an an-  
15               nual report, by a date determined by the Secretary,  
16               that includes, for each lender that has an educational  
17               loan arrangement with the covered institution and  
18               that has submitted to the institution the information  
19               required under subsection (b)—

20                   “(A) the information included on the model  
21                   format for each type of educational loan pro-  
22                   vided by the lender to students attending the cov-  
23                   ered institution, or the parents of such students;  
24                   and

“(B) a detailed explanation of why the covered institution believes the terms and conditions of each type of educational loan provided pursuant to the agreement are beneficial for students attending the covered institution, or the parents of such students; and

“(2) ensure that the report required under paragraph (1) is made available to the public and provided to students attending or planning to attend the covered institution, and the parents of such students, in time for the student or parent to take such information into account before applying for or selecting an educational loan.”.

## **TITLE II—TEACHER QUALITY ENHANCEMENT**

### **SEC. 201. TEACHER QUALITY PARTNERSHIP GRANTS.**

Part A of title II (20 U.S.C. 1021 et seq.) is amended to read as follows:

#### **“PART A—TEACHER QUALITY PARTNERSHIP GRANTS**

##### **“SEC. 201. PURPOSES; DEFINITIONS.**

“(a) **PURPOSES.**—The purposes of this part are to—

“(1) improve student achievement;

“(2) improve the quality of the current and future teaching force by improving the preparation of

1     *prospective teachers and enhancing professional devel-*  
 2     *opment activities;*

3             *“(3) hold institutions of higher education ac-*  
 4     *countable for preparing highly qualified teachers; and*

5             *“(4) recruit qualified individuals, including mi-*  
 6     *norities and individuals from other occupations, into*  
 7     *the teaching force.*

8     *“(b) DEFINITIONS.—In this part:*

9             *“(1) ARTS AND SCIENCES.—The term ‘arts and*  
 10     *sciences’ means—*

11             *“(A) when referring to an organizational*  
 12     *unit of an institution of higher education, any*  
 13     *academic unit that offers 1 or more academic*  
 14     *majors in disciplines or content areas cor-*  
 15     *responding to the academic subject matter areas*  
 16     *in which teachers provide instruction; and*

17             *“(B) when referring to a specific academic*  
 18     *subject area, the disciplines or content areas in*  
 19     *which academic majors are offered by the arts*  
 20     *and sciences organizational unit.*

21             *“(2) CHILDREN FROM LOW-INCOME FAMILIES.—*  
 22     *The term ‘children from low-income families’ means*  
 23     *children as described in section 1124(c)(1)(A) of the*  
 24     *Elementary and Secondary Education Act of 1965.*

1           “(3) *CORE ACADEMIC SUBJECTS.*—*The term ‘core*  
 2           *academic subjects’ has the meaning given the term in*  
 3           *section 9101 of the Elementary and Secondary Edu-*  
 4           *cation Act of 1965.*

5           “(4) *EARLY CHILDHOOD EDUCATION PRO-*  
 6           *GRAM.*—*The term ‘early childhood education pro-*  
 7           *gram’ means—*

8                   “(A) *a Head Start program or an Early*  
 9                   *Head Start program carried out under the Head*  
 10                  *Start Act (42 U.S.C. 9831 et seq.);*

11                  “(B) *a State licensed or regulated child care*  
 12                  *program or school; or*

13                  “(C) *a State prekindergarten program that*  
 14                  *serves children from birth through kindergarten*  
 15                  *and that addresses the children’s cognitive (in-*  
 16                  *cluding language, early literacy, and pre-*  
 17                  *numeracy), social, emotional, and physical devel-*  
 18                  *opment.*

19           “(5) *EARLY CHILDHOOD EDUCATOR.*—*The term*  
 20           *‘early childhood educator’ means an individual with*  
 21           *primary responsibility for the education of children*  
 22           *in an early childhood education program.*

23           “(6) *EDUCATIONAL SERVICE AGENCY.*—*The term*  
 24           *‘educational service agency’ has the meaning given*

1        *the term in section 9101 of the Elementary and Sec-*  
 2        *ondary Education Act of 1965.*

3                “(7) *ELIGIBLE PARTNERSHIP.*—*The term ‘eligi-*  
 4        *ble partnership’ means an entity that—*

5                “(A) *shall include—*

6                        “(i) *a high-need local educational*  
 7        *agency;*

8                        “(ii) *a high-need school or a consor-*  
 9        *tium of high-need schools served by the high-*  
 10       *need local educational agency or, as appli-*  
 11       *cable, a high-need early childhood education*  
 12       *program;*

13                      “(iii) *a partner institution;*

14                      “(iv) *a school, department, or program*  
 15       *of education within such partner institu-*  
 16       *tion; and*

17                      “(v) *a school or department of arts and*  
 18       *sciences within such partner institution;*  
 19       *and*

20                “(B) *may include any of the following:*

21                      “(i) *The Governor of the State.*

22                      “(ii) *The State educational agency.*

23                      “(iii) *The State board of education.*

24                      “(iv) *The State agency for higher edu-*  
 25       *cation.*

1 “(v) *A business.*

2 “(vi) *A public or private nonprofit*  
3 *educational organization.*

4 “(vii) *An educational service agency.*

5 “(viii) *A teacher organization.*

6 “(ix) *A high-performing local edu-*  
7 *cational agency, or a consortium of such*  
8 *local educational agencies, that can serve as*  
9 *a resource to the partnership.*

10 “(x) *A charter school (as defined in*  
11 *section 5210 of the Elementary and Sec-*  
12 *ondary Education Act of 1965).*

13 “(xi) *A school or department within*  
14 *the partner institution that focuses on psy-*  
15 *chology and human development.*

16 “(xii) *A school or department within*  
17 *the partner institution with comparable ex-*  
18 *pertise in the disciplines of teaching, learn-*  
19 *ing, and child and adolescent development.*

20 “(8) *ESSENTIAL COMPONENTS OF READING IN-*  
21 *STRUCTION.—The term ‘essential components of read-*  
22 *ing instruction’ has the meaning given such term in*  
23 *section 1208 of the Elementary and Secondary Edu-*  
24 *cation Act of 1965.*



1           “(9) *EXEMPLARY TEACHER.*—*The term ‘exem-*  
 2           *plary teacher’ has the meaning given such term in*  
 3           *section 9101 of the Elementary and Secondary Edu-*  
 4           *cation Act of 1965.*

5           “(10) *HIGH-NEED EARLY CHILDHOOD EDU-*  
 6           *CATION PROGRAM.*—*The term ‘high-need early child-*  
 7           *hood education program’ means an early childhood*  
 8           *education program that is among the highest 25 per-*  
 9           *cent of early childhood programs in the geographic*  
 10          *area served by the local educational agency in the*  
 11          *partnership, in terms of the percentage of students*  
 12          *from families with incomes below the poverty line.*

13          “(11) *HIGH-NEED LOCAL EDUCATIONAL AGEN-*  
 14          *CY.*—*The term ‘high-need local educational agency’*  
 15          *means a local educational agency—*

16               “(A)(i) *for which not less than 20 percent*  
 17               *of the children served by the agency are children*  
 18               *from low-income families;*

19               “(ii) *that serves not fewer than 10,000 chil-*  
 20               *dren from low-income families; or*

21               “(iii) *with a total of less than 600 students*  
 22               *in average daily attendance at the schools that*  
 23               *are served by the agency and all of whose schools*  
 24               *are designated with a school locale code of 6, 7,*  
 25               *or 8, as determined by the Secretary; and*

1           “(B)(i) for which there is a high percentage  
 2           of teachers not teaching in the academic subject  
 3           areas or grade levels in which the teachers were  
 4           trained to teach; or

5           “(ii) for which there is a high teacher turn-  
 6           over rate or a high percentage of teachers with  
 7           emergency, provisional, or temporary certifi-  
 8           cation or licensure.

9           “(12) *HIGH-NEED SCHOOL*.—The term ‘high-  
 10          need school’ means a public elementary school or pub-  
 11          lic secondary school that—

12           “(A) is among the highest 25 percent of  
 13           schools served by the local educational agency  
 14           that serves the school, in terms of the percentage  
 15           of students from families with incomes below the  
 16           poverty line; or

17           “(B) is designated with a school locale code  
 18           of 6, 7, or 8, as determined by the Secretary.

19           “(13) *HIGHLY COMPETENT*.—The term ‘highly  
 20          competent’, when used with respect to an early child-  
 21          hood educator, means an educator—

22           “(A) with specialized education and train-  
 23           ing in development and education of young chil-  
 24           dren from birth until entry into kindergarten;

25           “(B) with—

1                   “(i) a baccalaureate degree in an aca-  
2                   demic major in the arts and sciences; or

3                   “(ii) an associate’s degree in a related  
4                   educational area; and

5                   “(C) who has demonstrated a high level of  
6                   knowledge and use of content and pedagogy in  
7                   the relevant areas associated with quality early  
8                   childhood education.

9                   “(14) *HIGHLY QUALIFIED*.—The term ‘highly  
10                  qualified’ has the meaning given such term in section  
11                  9101 of the *Elementary and Secondary Education*  
12                  *Act of 1965* and, with respect to special education  
13                  teachers, in section 602 of the *Individuals with Dis-*  
14                  *abilities Education Act*.

15                  “(15) *INDUCTION PROGRAM*.—The term ‘induc-  
16                  tion program’ means a formalized program for new  
17                  teachers during not less than the teachers’ first 2  
18                  years of teaching that is designed to provide support  
19                  for, and improve the professional performance and  
20                  advance the retention in the teaching field of, begin-  
21                  ning teachers. Such program shall promote effective  
22                  teaching skills and shall include the following compo-  
23                  nents:

24                  “(A) High-quality teacher mentoring.

1           “(B) *Periodic, structured time for collabora-*  
 2           *tion with teachers in the same department or*  
 3           *field, as well as time for information-sharing*  
 4           *among teachers, principals, administrators, and*  
 5           *participating faculty in the partner institution.*

6           “(C) *The application of empirically based*  
 7           *practice and scientifically valid research on in-*  
 8           *structional practices.*

9           “(D) *Opportunities for new teachers to*  
 10          *draw directly upon the expertise of teacher men-*  
 11          *tors, faculty, and researchers to support the inte-*  
 12          *gration of empirically based practice and sci-*  
 13          *entifically valid research with practice.*

14          “(E) *The development of skills in instruc-*  
 15          *tional and behavioral interventions derived from*  
 16          *empirically based practice and, where applicable,*  
 17          *scientifically valid research.*

18          “(F) *Faculty who—*

19                 “(i) *model the integration of research*  
 20                 *and practice in the classroom; and*

21                 “(ii) *assist new teachers with the effec-*  
 22                 *tive use and integration of technology in the*  
 23                 *classroom.*

24          “(G) *Interdisciplinary collaboration among*  
 25          *exemplary teachers, faculty, researchers, and*

1        *other staff who prepare new teachers on the*  
 2        *learning process and the assessment of learning.*

3            *“(H) Assistance with the understanding of*  
 4        *data, particularly student achievement data, and*  
 5        *the data’s applicability in classroom instruction.*

6            *“(I) Regular evaluation of the new teacher.*

7            *“(16) LIMITED ENGLISH PROFICIENT.—The term*  
 8        *‘limited English proficient’ has the meaning given*  
 9        *such term in section 9101 of the Elementary and Sec-*  
 10       *ondary Education Act of 1965.*

11          *“(17) PARTNER INSTITUTION.—The term ‘part-*  
 12        *ner institution’ means an institution of higher edu-*  
 13        *cation, which may include a 2-year institution of*  
 14        *higher education offering a dual program with a 4-*  
 15        *year institution of higher education, participating in*  
 16        *an eligible partnership that has a teacher preparation*  
 17        *program—*

18            *“(A) whose graduates exhibit strong per-*  
 19        *formance on State-determined qualifying assess-*  
 20        *ments for new teachers through—*

21            *“(i) demonstrating that 80 percent or*  
 22        *more of the graduates of the program who*  
 23        *intend to enter the field of teaching have*  
 24        *passed all of the applicable State qualifica-*  
 25        *tion assessments for new teachers, which*

1           *shall include an assessment of each prospec-*  
2           *tive teacher's subject matter knowledge in*  
3           *the content area in which the teacher in-*  
4           *tends to teach; or*

5           *“(ii) being ranked among the highest-*  
6           *performing teacher preparation programs*  
7           *in the State as determined by the State—*

8           *“(I) using criteria consistent with*  
9           *the requirements for the State report*  
10          *card under section 205(b); and*

11          *“(II) using the State report card*  
12          *on teacher preparation required under*  
13          *section 205(b), after the first publica-*  
14          *tion of such report card and for every*  
15          *year thereafter; or*

16          *“(B) that requires—*

17          *“(i) each student in the program to*  
18          *meet high academic standards and partici-*  
19          *pate in intensive clinical experience;*

20          *“(ii) each student in the program pre-*  
21          *paring to become a teacher to become highly*  
22          *qualified; and*

23          *“(iii) each student in the program pre-*  
24          *paring to become an early childhood educa-*  
25          *tor to meet degree requirements, as estab-*

1                   lished by the State, and become highly com-  
2                   petent.

3                   “(18) *PRINCIPLES OF SCIENTIFIC RESEARCH.*—  
4                   The term ‘principles of scientific research’ means re-  
5                   search that—

6                   “(A) applies rigorous, systematic, and objec-  
7                   tive methodology to obtain reliable and valid  
8                   knowledge relevant to education activities and  
9                   programs;

10                  “(B) presents findings and makes claims  
11                  that are appropriate to and supported by the  
12                  methods that have been employed; and

13                  “(C) includes, appropriate to the research  
14                  being conducted—

15                       “(i) use of systematic, empirical meth-  
16                       ods that draw on observation or experiment;

17                       “(ii) use of data analyses that are ade-  
18                       quate to support the general findings;

19                       “(iii) reliance on measurements or ob-  
20                       servational methods that provide reliable  
21                       and generalizable findings;

22                       “(iv) claims of causal relationships  
23                       only in research designs that substantially  
24                       eliminate plausible competing explanations  
25                       for the obtained results, which may include

1                   *but shall not be limited to random-assign-*  
 2                   *ment experiments;*

3                   “(v) *presentation of studies and meth-*  
 4                   *ods in sufficient detail and clarity to allow*  
 5                   *for replication or, at a minimum, to offer*  
 6                   *the opportunity to build systematically on*  
 7                   *the findings of the research;*

8                   “(vi) *acceptance by a peer-reviewed*  
 9                   *journal or critique by a panel of inde-*  
 10                   *pendent experts through a comparably rig-*  
 11                   *orous, objective, and scientific review; and*

12                   “(vii) *use of research designs and*  
 13                   *methods appropriate to the research ques-*  
 14                   *tion posed.*

15                   “(19) *PROFESSIONAL DEVELOPMENT.*—*The term*  
 16                   *‘professional development’ has the meaning given the*  
 17                   *term in section 9101 of the Elementary and Sec-*  
 18                   *ondary Education Act of 1965.*

19                   “(20) *SCIENTIFICALLY VALID RESEARCH.*—*The*  
 20                   *term ‘scientifically valid research’ includes applied*  
 21                   *research, basic research, and field-initiated research*  
 22                   *in which the rationale, design, and interpretation are*  
 23                   *soundly developed in accordance with accepted prin-*  
 24                   *ciples of scientific research.*



1           “(21) *TEACHER MENTORING.*—*The term ‘teacher*  
 2           *mentoring’ means the mentoring of new or prospective*  
 3           *teachers through a new or established program that—*

4                   “(A) *includes clear criteria for the selection*  
 5                   *of teacher mentors who will provide role model*  
 6                   *relationships for mentees, which criteria shall be*  
 7                   *developed by the eligible partnership and based*  
 8                   *on measures of teacher effectiveness;*

9                   “(B) *provides high-quality training for such*  
 10                  *mentors, including instructional strategies for*  
 11                  *literacy instruction;*

12                  “(C) *provides regular and ongoing opportu-*  
 13                  *nities for mentors and mentees to observe each*  
 14                  *other’s teaching methods in classroom settings*  
 15                  *during the day in a high-need school in the high-*  
 16                  *need local educational agency in the eligible*  
 17                  *partnership;*

18                  “(D) *provides mentoring to each mentee by*  
 19                  *a colleague who teaches in the same field, grade,*  
 20                  *or subject as the mentee;*

21                  “(E) *promotes empirically based practice of,*  
 22                  *and scientifically valid research on, where appli-*  
 23                  *cable—*

24                           “(i) *teaching and learning;*

25                           “(ii) *assessment of student learning;*

1                   “(iii) the development of teaching skills  
2                   through the use of instructional and behav-  
3                   ioral interventions; and

4                   “(iv) the improvement of the mentees’  
5                   capacity to measurably advance student  
6                   learning; and

7                   “(F) includes—

8                   “(i) common planning time or regu-  
9                   larly scheduled collaboration for the mentor  
10                  and mentee; and

11                  “(ii) joint professional development op-  
12                  portunities.

13                  “(22) *TEACHING SKILLS*.—The term ‘teaching  
14                  skills’ means skills that enable a teacher to—

15                  “(A) increase student learning, achievement,  
16                  and the ability to apply knowledge;

17                  “(B) effectively convey and explain aca-  
18                  demic subject matter;

19                  “(C) employ strategies grounded in the dis-  
20                  ciplines of teaching and learning that—

21                  “(i) are based on empirically based  
22                  practice and scientifically valid research,  
23                  where applicable, on teaching and learning;

24                  “(ii) are specific to academic subject  
25                  matter; and

1                   “(iii) focus on the identification of stu-  
 2                   dents’ specific learning needs, particularly  
 3                   students with disabilities, students who are  
 4                   limited English proficient, students who are  
 5                   gifted and talented, and students with low  
 6                   literacy levels, and the tailoring of academic  
 7                   instruction to such needs;

8                   “(D) conduct an ongoing assessment of stu-  
 9                   dent learning;

10                  “(E) effectively manage a classroom;

11                  “(F) communicate and work with parents  
 12                  and guardians, and involve parents and guard-  
 13                  ians in their children’s education; and

14                  “(G) use age-appropriate strategies and  
 15                  practices for children, including in early child-  
 16                  hood education programs.

17                  “(23) *TEACHING RESIDENCY PROGRAM.*—The  
 18                  term ‘teaching residency program’ means a school-  
 19                  based teacher preparation program in which a pro-  
 20                  spective teacher—

21                         “(A) for 1 academic year, teaches alongside  
 22                         a mentor teacher, who is the teacher of record;

23                         “(B) receives concurrent instruction during  
 24                         the year described in subparagraph (A) from the  
 25                         partner institution, which courses may be taught

1           *by local educational agency personnel or resi-*  
 2           *dency program faculty, in the teaching of the*  
 3           *content area in which the teacher will become*  
 4           *certified or licensed;*

5           “(C) *acquires effective teaching skills; and*

6           “(D) *prior to completion of the program,*  
 7           *earns a master’s degree, attains full State teacher*  
 8           *certification or licensure, and becomes highly*  
 9           *qualified.*

10   **“SEC. 202. PARTNERSHIP GRANTS.**

11           “(a) *PROGRAM AUTHORIZED.—From amounts made*  
 12           *available under section 208, the Secretary is authorized to*  
 13           *award grants, on a competitive basis, to eligible partner-*  
 14           *ships, to enable the eligible partnerships to carry out the*  
 15           *activities described in subsection (c).*

16           “(b) *APPLICATION.—Each eligible partnership desir-*  
 17           *ing a grant under this section shall submit an application*  
 18           *to the Secretary at such time, in such manner, and accom-*  
 19           *panied by such information as the Secretary may require.*  
 20           *Each such application shall contain—*

21           “(1) *a needs assessment of all the partners in the*  
 22           *eligible partnership with respect to the preparation,*  
 23           *ongoing training, professional development, and re-*  
 24           *tention, of general and special education teachers,*

1        *principals, and, as applicable, early childhood edu-*  
 2        *cators;*

3                *“(2) a description of the extent to which the pro-*  
 4        *gram prepares prospective and new teachers with*  
 5        *strong teaching skills;*

6                *“(3) a description of the extent to which the pro-*  
 7        *gram will prepare prospective and new teachers to*  
 8        *understand research and data and the applicability of*  
 9        *research and data in the classroom;*

10               *“(4) a description of how the partnership will*  
 11        *coordinate strategies and activities assisted under the*  
 12        *grant with other teacher preparation or professional*  
 13        *development programs, including those funded under*  
 14        *the Elementary and Secondary Education Act of*  
 15        *1965 and the Individuals with Disabilities Education*  
 16        *Act, and through the National Science Foundation,*  
 17        *and how the activities of the partnership will be con-*  
 18        *sistent with State, local, and other education reform*  
 19        *activities that promote student achievement;*

20               *“(5) a resource assessment that describes the re-*  
 21        *sources available to the partnership, including—*

22                        *“(A) the integration of funds from other re-*  
 23        *lated sources;*

24                        *“(B) the intended use of the grant funds;*

1           “(C) the commitment of the resources of the  
 2           partnership to the activities assisted under this  
 3           section, including financial support, faculty par-  
 4           ticipation, and time commitments, and to the  
 5           continuation of the activities when the grant  
 6           ends;

7           “(6) a description of—

8                 “(A) how the partnership will meet the pur-  
 9                 poses of this part;

10                “(B) how the partnership will carry out the  
 11                activities required under subsection (d) or (e)  
 12                based on the needs identified in paragraph (1),  
 13                with the goal of improving student achievement;

14                “(C) the partnership’s evaluation plan  
 15                under section 204(a);

16                “(D) how the partnership will align the  
 17                teacher preparation program with the—

18                         “(i) early learning standards for early  
 19                         childhood education programs, as applica-  
 20                         ble, of the State in which the partnership is  
 21                         located; and

22                         “(ii) the student academic achievement  
 23                         standards and academic content standards  
 24                         under section 1111(b)(2) of the Elementary  
 25                         and Secondary Education Act of 1965, es-

1           *tablished by the State in which the partner-*  
2           *ship is located;*

3           “(E) *how faculty at the partner institution*  
4           *will work with, during the term of the grant,*  
5           *highly qualified teachers in the classrooms of*  
6           *schools served by the high-need local educational*  
7           *agency in the partnership to provide high-qual-*  
8           *ity professional development activities;*

9           “(F) *how the partnership will design, im-*  
10          *plement, or enhance a year-long, rigorous, and*  
11          *enriching teaching preservice clinical program*  
12          *component;*

13          “(G) *the in-service professional development*  
14          *strategies and activities to be supported; and*

15          “(H) *how the partnership will collect, ana-*  
16          *lyze, and use data on the retention of all teachers*  
17          *and early childhood educators in schools and*  
18          *early childhood programs located in the geo-*  
19          *graphic area served by the partnership to evalu-*  
20          *ate the effectiveness of the partnership’s teacher*  
21          *and educator support system; and*

22          “(7) *with respect to the induction program re-*  
23          *quired as part of the activities carried out under this*  
24          *section—*

1           “(A) a demonstration that the schools and  
 2           departments within the institution of higher edu-  
 3           cation that are part of the induction program  
 4           have relevant and essential roles in the effective  
 5           preparation of teachers, including content exper-  
 6           tise and expertise in teaching;

7           “(B) a demonstration of the partnership’s  
 8           capability and commitment to the use of empiri-  
 9           cally based practice and scientifically valid re-  
 10          search on teaching and learning, and the accessi-  
 11          bility to and involvement of faculty;

12          “(C) a description of how the teacher prepa-  
 13          ration program will design and implement an  
 14          induction program to support all new teachers  
 15          through not less than the first 2 years of teaching  
 16          in the further development of the new teachers’  
 17          teaching skills, including the use of mentors who  
 18          are trained and compensated by such program  
 19          for the mentors’ work with new teachers; and

20          “(D) a description of how faculty involved  
 21          in the induction program will be able to substan-  
 22          tially participate in an early childhood edu-  
 23          cation program or an elementary or secondary  
 24          school classroom setting, as applicable, including



1           *release time and receiving workload credit for*  
 2           *such participation.*

3           “(c) *REQUIRED USE OF GRANT FUNDS.*—*An eligible*  
 4 *partnership that receives a grant under this part shall use*  
 5 *grant funds to carry out a program for the pre-bacca-*  
 6 *laureate preparation of teachers under subsection (d), a*  
 7 *teaching residency program under subsection (e), or both*  
 8 *such programs.*

9           “(d) *PARTNERSHIP GRANTS FOR PRE-BACCA-*  
 10 *LAUREATE PREPARATION OF TEACHERS.*—*An eligible part-*  
 11 *nership that receives a grant to carry out an effective pro-*  
 12 *gram for the pre-baccalaureate preparation of teachers shall*  
 13 *carry out a program that includes all of the following:*

14           “(1) *REFORMS.*—

15                   “(A) *IN GENERAL.*—*Implementing reforms,*  
 16                   *described in subparagraph (B), within each*  
 17                   *teacher preparation program and, as applicable,*  
 18                   *each preparation program for early childhood*  
 19                   *education programs, of the eligible partnership*  
 20                   *that is assisted under this section, to hold each*  
 21                   *program accountable for—*

22                           “(i) *preparing—*

23                                   “(I) *current or prospective teach-*  
 24                                   *ers to be highly qualified (including*  
 25                                   *teachers in rural school districts who*

1           *may teach multiple subjects, special*  
 2           *educators, and teachers of students who*  
 3           *are limited English proficient who*  
 4           *may teach multiple subjects);*

5           “(II) *such teachers and, as appli-*  
 6           *cable, early childhood educators, to un-*  
 7           *derstand empirically based practice*  
 8           *and scientifically valid research on*  
 9           *teaching and learning and its applica-*  
 10          *bility, and to use technology effectively,*  
 11          *including the use of instructional tech-*  
 12          *niques to improve student achievement;*  
 13          *and*

14          “(III) *as applicable, early child-*  
 15          *hood educators to be highly competent;*  
 16          *and*

17          “(ii) *promoting strong teaching skills*  
 18          *and, as applicable, techniques for early*  
 19          *childhood educators to improve children’s*  
 20          *cognitive, social, emotional, and physical*  
 21          *development.*

22          “(B) *REQUIRED REFORMS.—The reforms*  
 23          *described in subparagraph (A) shall include—*

24               “(i) *implementing teacher preparation*  
 25               *program curriculum changes that improve,*

1 *evaluate, and assess how well all prospective*  
 2 *and new teachers develop teaching skills;*

3 *“(ii) using empirically based practice*  
 4 *and scientifically valid research, where ap-*  
 5 *plicable, about the disciplines of teaching*  
 6 *and learning so that all prospective teachers*  
 7 *and, as applicable, early childhood edu-*  
 8 *cators—*

9 *“(I) can understand and imple-*  
 10 *ment research-based teaching practices*  
 11 *in classroom-based instruction;*

12 *“(II) have knowledge of student*  
 13 *learning methods;*

14 *“(III) possess skills to analyze*  
 15 *student academic achievement data*  
 16 *and other measures of student learning*  
 17 *and use such data and measures to im-*  
 18 *prove instruction in the classroom;*

19 *“(IV) possess teaching skills and*  
 20 *an understanding of effective instruc-*  
 21 *tional strategies across all applicable*  
 22 *content areas that enable the teachers*  
 23 *and early childhood educators to—*

24 *“(aa) meet the specific learn-*  
 25 *ing needs of all students, includ-*

1                    *ing students with disabilities, stu-*  
2                    *dents who are limited English*  
3                    *proficient, students who are gifted*  
4                    *and talented, students with low*  
5                    *literacy levels and, as applicable,*  
6                    *children in early childhood edu-*  
7                    *cation programs; and*

8                    *“(bb) differentiate instruc-*  
9                    *tion for such students; and*

10                    *“(V) can successfully employ effec-*  
11                    *tive strategies for reading instruction*  
12                    *using the essential components of read-*  
13                    *ing instruction;*

14                    *“(iii) ensuring collaboration with de-*  
15                    *partments, programs, or units of a partner*  
16                    *institution outside of the teacher prepara-*  
17                    *tion program in all academic content areas*  
18                    *to ensure that new teachers receive training*  
19                    *in both teaching and relevant content areas*  
20                    *in order to become highly qualified;*

21                    *“(iv) developing and implementing an*  
22                    *induction program; and*

23                    *“(v) developing admissions goals and*  
24                    *priorities with the hiring objectives of the*

1                    *high-need local educational agency in the el-*  
 2                    *igible partnership.*

3                    “(2) *CLINICAL EXPERIENCE AND INTERACTION.*—  
 4                    *Developing and improving a sustained and high-qual-*  
 5                    *ity pre-service clinical education program to further*  
 6                    *develop the teaching skills of all prospective teachers*  
 7                    *and, as applicable, early childhood educators, in-*  
 8                    *volved in the program. Such program shall do the fol-*  
 9                    *lowing:*

10                    “(A) *Incorporate year-long opportunities for*  
 11                    *enrichment activity or a combination of activi-*  
 12                    *ties, including—*

13                    “(i) *clinical learning in classrooms in*  
 14                    *high-need schools served by the high-need*  
 15                    *local educational agency in the eligible*  
 16                    *partnership and identified by the eligible*  
 17                    *partnership; and*

18                    “(ii) *closely supervised interaction be-*  
 19                    *tween faculty and new and experienced*  
 20                    *teachers, principals, and other administra-*  
 21                    *tors at early childhood education programs*  
 22                    *(as applicable), elementary schools, or sec-*  
 23                    *ondary schools, and providing support for*  
 24                    *such interaction.*

1           “(B) *Integrate pedagogy and classroom*  
 2           *practice and promote effective teaching skills in*  
 3           *academic content areas.*

4           “(C) *Provide high-quality teacher men-*  
 5           *toring.*

6           “(D)(i) *Be offered over the course of a pro-*  
 7           *gram of teacher preparation;*

8           “(ii) *be tightly aligned with course work*  
 9           *(and may be developed as a 5th year of a teacher*  
 10          *preparation program); and*

11          “(iii) *where feasible, allow prospective*  
 12          *teachers to learn to teach in the same school dis-*  
 13          *trict in which the teachers will work, learning*  
 14          *the instructional initiatives and curriculum of*  
 15          *that district.*

16          “(E) *Provide support and training for those*  
 17          *individuals participating in an activity for pro-*  
 18          *spective teachers described in this paragraph or*  
 19          *paragraph (1) or (2), and for those who serve as*  
 20          *mentors for such teachers, based on each individ-*  
 21          *ual’s experience. Such support may include—*

22               “(i) *with respect to a prospective teach-*  
 23               *er or a mentor, release time for such indi-*  
 24               *vidual’s participation;*

1                   “(ii) *with respect to a faculty member,*  
 2                   *receiving course workload credit and com-*  
 3                   *ensation for time teaching in the eligible*  
 4                   *partnership’s activities; and*

5                   “(iii) *with respect to a mentor, a sti-*  
 6                   *pend, which may include bonus, differen-*  
 7                   *tial, incentive, or merit or performance-*  
 8                   *based pay.*

9                   “(3) *INDUCTION PROGRAMS FOR NEW TEACH-*  
 10                  *ERS.—Creating an induction program for new teach-*  
 11                  *ers, or, in the case of an early childhood education*  
 12                  *program, providing mentoring or coaching for new*  
 13                  *early childhood educators.*

14                  “(4) *SUPPORT AND TRAINING FOR PARTICIPANTS*  
 15                  *IN EARLY CHILDHOOD EDUCATION PROGRAMS.—In*  
 16                  *the case of an eligible partnership focusing on early*  
 17                  *childhood educator preparation, implementing initia-*  
 18                  *tives that increase compensation for early childhood*  
 19                  *educators who attain associate or baccalaureate de-*  
 20                  *grees in early childhood education.*

21                  “(5) *TEACHER RECRUITMENT.—Developing and*  
 22                  *implementing effective mechanisms to ensure that the*  
 23                  *eligible partnership is able to recruit qualified indi-*  
 24                  *viduals to become highly qualified teachers through*  
 25                  *the activities of the eligible partnership.*

1       “(e) *PARTNERSHIP GRANTS FOR THE ESTABLISHMENT*  
 2 *OF TEACHING RESIDENCY PROGRAMS.*—

3               “(1) *IN GENERAL.*—*An eligible partnership re-*  
 4 *ceiving a grant to carry out an effective teaching resi-*  
 5 *dency program shall carry out a program that in-*  
 6 *cludes all of the following activities:*

7                       “(A) *Supporting a teaching residency pro-*  
 8 *gram described in paragraph (2) for high-need*  
 9 *subjects and areas, as determined by the needs of*  
 10 *the high-need local educational agency in the*  
 11 *partnership.*

12                      “(B) *Modifying staffing procedures to pro-*  
 13 *vide greater flexibility for local educational agen-*  
 14 *cy and school leaders to establish effective school-*  
 15 *level staffing in order to facilitate placement of*  
 16 *graduates of the teaching residency program in*  
 17 *cohorts that facilitate professional collaboration,*  
 18 *both among graduates of the teaching residency*  
 19 *program and between such graduates and mentor*  
 20 *teachers in the receiving school.*

21                      “(C) *Ensuring that teaching residents that*  
 22 *participated in the teaching residency program*  
 23 *receive—*

24                               “(i) *effective preservice preparation as*  
 25 *described in paragraph (2);*



1                   “(ii) *teacher mentoring;*

2                   “(iii) *induction through the induction*  
3                   *program as the teaching residents enter the*  
4                   *classroom as new teachers; and*

5                   “(iv) *the preparation described in sub-*  
6                   *paragraphs (A), (B), and (C) of subsection*  
7                   *(d)(2).*

8                   “(2) *TEACHING RESIDENCY PROGRAMS.—*

9                   “(A) *ESTABLISHMENT AND DESIGN.—A*  
10                  *teaching residency program under this para-*  
11                  *graph shall be a program based upon models of*  
12                  *successful teaching residencies that serves as a*  
13                  *mechanism to prepare teachers for success in the*  
14                  *high-need schools in the eligible partnership, and*  
15                  *shall be designed to include the following charac-*  
16                  *teristics of successful programs:*

17                   “(i) *The integration of pedagogy, class-*  
18                   *room practice, and teacher mentoring.*

19                   “(ii) *Engagement of teaching residents*  
20                   *in rigorous graduate-level coursework to*  
21                   *earn a master’s degree while undertaking a*  
22                   *guided teaching apprenticeship.*

23                   “(iii) *Experience and learning oppor-*  
24                   *tunities alongside a trained and experienced*  
25                   *mentor teacher—*

1           “(I) whose teaching shall com-  
 2           plement the residency program so that  
 3           classroom clinical practice is tightly  
 4           aligned with coursework;

5           “(II) who shall have extra respon-  
 6           sibilities as a teacher leader of the  
 7           teaching residency program, as a men-  
 8           tor for residents, and as a teacher  
 9           coach during the induction program  
 10          for novice teachers, and for estab-  
 11          lishing, within the program, a learning  
 12          community in which all individuals  
 13          are expected to continually improve  
 14          their capacity to advance student  
 15          learning; and

16          “(III) who may have full relief  
 17          from teaching duties as a result of such  
 18          additional responsibilities.

19          “(iv) The establishment of clear cri-  
 20          teria for the selection of mentor teachers  
 21          based on measures of teacher effectiveness  
 22          and the appropriate subject area knowledge.  
 23          Evaluation of teacher effectiveness shall be  
 24          based on observations of such domains of  
 25          teaching as the following:

1           “(I) *Planning and preparation,*  
2           *including demonstrated knowledge of*  
3           *content, pedagogy, and assessment, in-*  
4           *cluding the use of formative assess-*  
5           *ments to improve student learning.*

6           “(II) *Appropriate instruction that*  
7           *engages students with different learn-*  
8           *ing styles.*

9           “(III) *Collaboration with col-*  
10          *leagues to improve instruction.*

11          “(IV) *Analysis of gains in student*  
12          *learning, based on multiple measures,*  
13          *that, when feasible, may include valid*  
14          *and reliable objective measures of the*  
15          *influence of teachers on the rate of stu-*  
16          *dent academic progress.*

17          “(V) *In the case of mentor can-*  
18          *didates who will be mentoring current*  
19          *or future literacy and mathematics*  
20          *coaches or instructors, appropriate*  
21          *skills in the essential components of*  
22          *reading instruction, teacher training*  
23          *in literacy instructional strategies*  
24          *across core subject areas, and teacher*

1                   *training in mathematics instructional*  
 2                   *strategies, as appropriate.*

3                   “(v) *Grouping of teaching residents in*  
 4                   *cohorts to facilitate professional collabora-*  
 5                   *tion among such residents.*

6                   “(vi) *The development of admissions*  
 7                   *goals and priorities aligned with the hiring*  
 8                   *objectives of the local educational agency*  
 9                   *partnering with the program, as well as the*  
 10                   *instructional initiatives and curriculum of*  
 11                   *the agency, in exchange for a commitment*  
 12                   *by the agency to hire graduates from the*  
 13                   *teaching residency program.*

14                   “(vii) *Support for residents, once the*  
 15                   *teaching residents are hired as teachers of*  
 16                   *record, through an induction program, pro-*  
 17                   *fessional development, and networking op-*  
 18                   *portunities to support the residents through*  
 19                   *not less than the residents’ first 2 years of*  
 20                   *teaching.*

21                   “(B) *SELECTION OF INDIVIDUALS AS*  
 22                   *TEACHER RESIDENTS.—*

23                   “(i) *ELIGIBLE INDIVIDUAL.—In order*  
 24                   *to be eligible to be a teacher resident in a*

1           *teaching residency program under this*  
2           *paragraph, an individual shall—*

3                   “(I) *be a recent graduate of a 4-*  
4                   *year institution of higher education or*  
5                   *a mid-career professional from outside*  
6                   *the field of education possessing strong*  
7                   *content knowledge or a record of pro-*  
8                   *fessional accomplishment; and*

9                   “(II) *submit an application to the*  
10                  *teaching residency program.*

11                  “(ii) *SELECTION CRITERIA.—An eligi-*  
12                  *ble partnership carrying out a teaching*  
13                  *residency program under this subparagraph*  
14                  *shall establish criteria for the selection of el-*  
15                  *igible individuals to participate in the*  
16                  *teaching residency program based on the*  
17                  *following characteristics:*

18                       “(I) *Strong content knowledge or*  
19                       *record of accomplishment in the field*  
20                       *or subject area to be taught.*

21                       “(II) *Strong verbal and written*  
22                       *communication skills, which may be*  
23                       *demonstrated by performance on ap-*  
24                       *propriate tests.*

1                   “(III) *Other attributes linked to*  
 2                   *effective teaching, which may be deter-*  
 3                   *mined by interviews or performance*  
 4                   *assessments, as specified by the eligible*  
 5                   *partnership.*

6                   “(C) *STIPEND AND SERVICE REQUIRE-*  
 7                   *MENT.—*

8                   “(i) *STIPEND.—A teaching residency*  
 9                   *program under this paragraph shall provide*  
 10                   *a 1-year living stipend or salary to teach-*  
 11                   *ing residents during the 1-year teaching*  
 12                   *residency program.*

13                   “(ii) *SERVICE REQUIREMENT.—As a*  
 14                   *condition of receiving a stipend under this*  
 15                   *subparagraph, a teaching resident shall*  
 16                   *agree to teach in a high-need school served*  
 17                   *by the high-need local educational agency in*  
 18                   *the eligible partnership for a period of 3 or*  
 19                   *more years after completing the 1-year*  
 20                   *teaching residency program.*

21                   “(iii) *REPAYMENT.—If a teaching resi-*  
 22                   *dent who received a stipend under this sub-*  
 23                   *paragraph does not complete the service re-*  
 24                   *quirement described in clause (ii), such in-*  
 25                   *dividual shall repay to the high-need local*

1                    *educational agency a pro rata portion of*  
 2                    *the stipend amount for the amount of teach-*  
 3                    *ing time that the individual did not com-*  
 4                    *plete.*

5            “(f) CONSULTATION.—

6                    “(1) IN GENERAL.—*Members of an eligible part-*  
 7                    *nership that receives a grant under this section shall*  
 8                    *engage in regular consultation throughout the develop-*  
 9                    *ment and implementation of programs and activities*  
 10                   *under this section.*

11                   “(2) REGULAR COMMUNICATION.—*To ensure*  
 12                   *timely and meaningful consultation, regular commu-*  
 13                   *nication shall occur among all members of the eligible*  
 14                   *partnership, including the high-need local educational*  
 15                   *agency. Such communication shall continue through-*  
 16                   *out the implementation of the grant and the assess-*  
 17                   *ment of programs and activities under this section.*

18                   “(3) WRITTEN CONSENT.—*The Secretary may*  
 19                   *approve changes in grant activities of a grant under*  
 20                   *this section only if a written consent signed by all*  
 21                   *members of the eligible partnership is submitted to the*  
 22                   *Secretary.*

23                   “(g) CONSTRUCTION.—*Nothing in this section shall be*  
 24                   *construed to prohibit an eligible partnership from using*  
 25                   *grant funds to coordinate with the activities of eligible part-*

1 *nerships in other States or on a regional basis through Gov-*  
 2 *ernors, State boards of education, State educational agen-*  
 3 *cies, State agencies responsible for early childhood edu-*  
 4 *cation, local educational agencies, or State agencies for*  
 5 *higher education.*

6       “(h) *SUPPLEMENT, NOT SUPPLANT.—Funds made*  
 7 *available under this section shall be used to supplement,*  
 8 *and not supplant, other Federal, State, and local funds that*  
 9 *would otherwise be expended to carry out activities under*  
 10 *this section.*

11 **“SEC. 203. ADMINISTRATIVE PROVISIONS.**

12       “(a) *DURATION; NUMBER OF AWARDS; PAYMENTS.—*

13               “(1) *DURATION.—A grant awarded under this*  
 14 *part shall be awarded for a period of 5 years.*

15               “(2) *NUMBER OF AWARDS.—An eligible partner-*  
 16 *ship may not receive more than 1 grant during a 5-*  
 17 *year period. Nothing in this title shall be construed*  
 18 *to prohibit an individual member, that can dem-*  
 19 *onstrate need, of an eligible partnership that receives*  
 20 *a grant under this title from entering into another el-*  
 21 *igible partnership consisting of new members and re-*  
 22 *ceiving a grant with such other eligible partnership*  
 23 *before the 5-year period described in the preceding*  
 24 *sentence applicable to the eligible partnership with*



1       *which the individual member has first partnered has*  
 2       *expired.*

3               “(3) *PAYMENTS.*—*The Secretary shall make an-*  
 4       *annual payments of grant funds awarded under this*  
 5       *part.*

6               “(b) *PEER REVIEW.*—

7               “(1) *PANEL.*—*The Secretary shall provide the*  
 8       *applications submitted under this part to a peer re-*  
 9       *view panel for evaluation. With respect to each appli-*  
 10       *cation, the peer review panel shall initially rec-*  
 11       *ommend the application for funding or for dis-*  
 12       *approval.*

13               “(2) *PRIORITY.*—*In recommending applications*  
 14       *to the Secretary for funding under this part, the*  
 15       *panel shall give priority—*

16               “(A) *to applications from broad-based eligi-*  
 17       *ble partnerships that involve businesses and com-*  
 18       *munity organizations; and*

19               “(B) *to eligible partnerships so that the*  
 20       *awards promote an equitable geographic dis-*  
 21       *tribution of grants among rural and urban*  
 22       *areas.*

23               “(3) *SECRETARIAL SELECTION.*—*The Secretary*  
 24       *shall determine, based on the peer review process,*  
 25       *which applications shall receive funding and the*

1        *amounts of the grants. In determining the grant*  
 2        *amount, the Secretary shall take into account the*  
 3        *total amount of funds available for all grants under*  
 4        *this part and the types of activities proposed to be*  
 5        *carried out by the eligible partnership.*

6        “(c) *MATCHING REQUIREMENTS.*—

7                “(1) *IN GENERAL.*—*Each eligible partnership re-*  
 8        *ceiving a grant under this part shall provide, from*  
 9        *non-Federal sources, an amount equal to 100 percent*  
 10        *of the amount of the grant, which may be provided*  
 11        *in cash or in-kind, to carry out the activities sup-*  
 12        *ported by the grant.*

13               “(2) *WAIVER.*—*The Secretary may waive all or*  
 14        *part of the matching requirement described in para-*  
 15        *graph (1) for any fiscal year for an eligible partner-*  
 16        *ship, if the Secretary determines that applying the*  
 17        *matching requirement to the eligible partnership*  
 18        *would result in serious hardship or an inability to*  
 19        *carry out the authorized activities described in this*  
 20        *part.*

21               “(d) *LIMITATION ON ADMINISTRATIVE EXPENSES.*—  
 22        *An eligible partnership that receives a grant under this part*  
 23        *may use not more than 2 percent of the grant funds for*  
 24        *purposes of administering the grant.*

1 **“SEC. 204. ACCOUNTABILITY AND EVALUATION.**

2       “(a) *ELIGIBLE PARTNERSHIP EVALUATION.*—*Each el-*  
 3 *igible partnership submitting an application for a grant*  
 4 *under this part shall establish and include in such applica-*  
 5 *tion, an evaluation plan that includes strong performance*  
 6 *objectives. The plan shall include objectives and measures*  
 7 *for increasing—*

8               “(1) *student achievement for all students as*  
 9 *measured by the eligible partnership;*

10              “(2) *teacher retention in the first 3 years of a*  
 11 *teacher’s career;*

12              “(3) *improvement in the pass rates and scaled*  
 13 *scores for initial State certification or licensure of*  
 14 *teachers; and*

15              “(4)(A) *the percentage of highly qualified teach-*  
 16 *ers hired by the high-need local educational agency*  
 17 *participating in the eligible partnership;*

18              “(B) *the percentage of such teachers who are*  
 19 *members of under represented groups;*

20              “(C) *the percentage of such teachers who teach*  
 21 *high-need academic subject areas (such as reading,*  
 22 *mathematics, science, and foreign language, including*  
 23 *less commonly taught languages and critical foreign*  
 24 *languages);*

25              “(D) *the percentage of such teachers who teach in*  
 26 *high-need areas (including special education, lan-*

1        *guage instruction educational programs for limited*  
 2        *English proficient students, and early childhood edu-*  
 3        *cation);*

4                *“(E) the percentage of such teachers in high-need*  
 5        *schools, disaggregated by the elementary, middle, and*  
 6        *high school levels; and*

7                *“(F) as applicable, the percentage of early child-*  
 8        *hood education program classes in the geographic*  
 9        *area served by the eligible partnership taught by early*  
 10        *childhood educators who are highly competent.*

11        *“(b) INFORMATION.—An eligible partnership receiving*  
 12        *a grant under this part shall ensure that teachers, prin-*  
 13        *cipals, school superintendents, and faculty and leadership*  
 14        *at institutions of higher education located in the geographic*  
 15        *areas served by the eligible partnership under this part are*  
 16        *provided information about the activities carried out with*  
 17        *funds under this part, including through electronic means.*

18        *“(c) REVOCATION OF GRANT.—If the Secretary deter-*  
 19        *mines that an eligible partnership receiving a grant under*  
 20        *this part is not making substantial progress in meeting the*  
 21        *purposes, goals, objectives, and measures, as appropriate,*  
 22        *of the grant by the end of the third year of a grant under*  
 23        *this part, then the Secretary shall require such eligible part-*  
 24        *nership to submit a revised application that identifies the*  
 25        *steps the partnership will take to make substantial progress*

1 *to meet the purposes, goals, objectives, and measures, as ap-*  
 2 *propriate, of this part.*

3       “(d) *EVALUATION AND DISSEMINATION.—The Sec-*  
 4 *retary shall evaluate the activities funded under this part*  
 5 *and report the Secretary’s findings regarding the activities*  
 6 *to the authorizing committees. The Secretary shall broadly*  
 7 *disseminate—*

8               “(1) *successful practices developed by eligible*  
 9 *partnerships under this part; and*

10              “(2) *information regarding such practices that*  
 11 *were found to be ineffective.*

12 **“SEC. 205. ACCOUNTABILITY FOR PROGRAMS THAT PRE-**  
 13 **PARE TEACHERS.**

14       “(a) *INSTITUTIONAL AND PROGRAM REPORT CARDS*  
 15 *ON THE QUALITY OF TEACHER PREPARATION.—*

16              “(1) *REPORT CARD.—Each institution of higher*  
 17 *education that conducts a traditional teacher prepa-*  
 18 *ration program or alternative routes to State certifi-*  
 19 *cation or licensure program and that enrolls students*  
 20 *receiving Federal assistance under this Act shall re-*  
 21 *port annually to the State and the general public, in*  
 22 *a uniform and comprehensible manner that conforms*  
 23 *with the definitions and methods established by the*  
 24 *Secretary, both for traditional teacher preparation*

1        *programs and alternative routes to State certification*  
2        *or licensure programs, the following information:*

3                *“(A) PASS RATES AND SCALED SCORES.—*

4                *For the most recent year for which the informa-*  
5                *tion is available for those students who took the*  
6                *assessments and are enrolled in the traditional*  
7                *teacher preparation program or alternative*  
8                *routes to State certification or licensure pro-*  
9                *gram, and for those who have taken the assess-*  
10               *ments and have completed the traditional teacher*  
11               *preparation program or alternative routes to*  
12               *State certification or licensure program during*  
13               *the 2-year period preceding such year, for each*  
14               *of the assessments used for teacher certification*  
15               *or licensure by the State in which the program*  
16               *is located—*

17               *“(i) the percentage of students who*  
18               *have completed 100 percent of the nonclin-*  
19               *ical coursework and taken the assessment*  
20               *who pass such assessment;*

21               *“(ii) the percentage of all such students*  
22               *who passed each such assessment;*

23               *“(iii) the percentage of students taking*  
24               *an assessment who completed the teacher*  
25               *preparation program after enrolling in the*

1           *program, which shall be made available*  
2           *widely and publicly by the State;*

3           “(iv) *the average scaled score for all*  
4           *students who took each such assessment;*

5           “(v) *a comparison of the program’s*  
6           *pass rates with the average pass rates for*  
7           *programs in the State; and*

8           “(vi) *a comparison of the program’s*  
9           *average scaled scores with the average scaled*  
10          *scores for programs in the State.*

11          “(B) *PROGRAM INFORMATION.—The criteria*  
12          *for admission into the program, the number of*  
13          *students in the program (disaggregated by race*  
14          *and gender), the average number of hours of su-*  
15          *pervised clinical experience required for those in*  
16          *the program, the number of full-time equivalent*  
17          *faculty and students in the supervised clinical*  
18          *experience, and the total number of students who*  
19          *have been certified or licensed as teachers,*  
20          *disaggregated by subject and area of certification*  
21          *or licensure.*

22          “(C) *STATEMENT.—In States that require*  
23          *approval or accreditation of teacher preparation*  
24          *programs, a statement of whether the institu-*

1            *tion's program is so approved or accredited, and*  
 2            *by whom.*

3            *“(D) DESIGNATION AS LOW-PERFORMING.—*  
 4            *Whether the program has been designated as low-*  
 5            *performing by the State under section 207(a).*

6            *“(E) USE OF TECHNOLOGY.—A description*  
 7            *of the activities that prepare teachers to effec-*  
 8            *tively integrate technology into curricula and in-*  
 9            *struction and effectively use technology to collect,*  
 10           *manage, and analyze data in order to improve*  
 11           *teaching, learning, and decisionmaking for the*  
 12           *purpose of increasing student academic achieve-*  
 13           *ment.*

14           *“(2) REPORT.—Each eligible partnership receiv-*  
 15           *ing a grant under section 202 shall report annually*  
 16           *on the progress of the eligible partnership toward*  
 17           *meeting the purposes of this part and the objectives*  
 18           *and measures described in section 204(a).*

19           *“(3) FINES.—The Secretary may impose a fine*  
 20           *not to exceed \$25,000 on an institution of higher edu-*  
 21           *cation for failure to provide the information described*  
 22           *in this subsection in a timely or accurate manner.*

23           *“(4) SPECIAL RULE.—In the case of an institu-*  
 24           *tion of higher education that conducts a traditional*  
 25           *teacher preparation program or alternative routes to*



1     *State certification or licensure program and has fewer*  
 2     *than 10 scores reported on any single initial teacher*  
 3     *certification or licensure assessment during an aca-*  
 4     *demie year, the institution shall collect and publish*  
 5     *information, as required under paragraph (1)(A),*  
 6     *with respect to an average pass rate and scaled score*  
 7     *on each State certification or licensure assessment*  
 8     *taken over a 3-year period.*

9     “(b) *STATE REPORT CARD ON THE QUALITY OF*  
 10  *TEACHER PREPARATION.*—

11             “(1) *IN GENERAL.*—*Each State that receives*  
 12     *funds under this Act shall provide to the Secretary,*  
 13     *annually, in a uniform and comprehensible manner*  
 14     *that conforms with the definitions and methods estab-*  
 15     *lished by the Secretary, a State report card on the*  
 16     *quality of teacher preparation in the State, both for*  
 17     *traditional teacher preparation programs and for al-*  
 18     *ternative routes to State certification or licensure pro-*  
 19     *grams, which shall include not less than the following:*

20             “(A) *A description of reliability and valid-*  
 21     *ity of the teacher certification and licensure as-*  
 22     *sessments, and any other certification and licen-*  
 23     *sure requirements, used by the State.*

24             “(B) *The standards and criteria that pro-*  
 25     *spective teachers must meet in order to attain*

1       *initial teacher certification or licensure and to be*  
2       *certified or licensed to teach particular academic*  
3       *subject areas or in particular grades within the*  
4       *State.*

5               “(C) *A description of how the assessments*  
6       *and requirements described in subparagraph (A)*  
7       *are aligned with the State’s challenging aca-*  
8       *ademic content standards required under section*  
9       *1111(b)(1) of the Elementary and Secondary*  
10       *Education Act of 1965 and State early learning*  
11       *standards for early childhood education pro-*  
12       *grams.*

13               “(D) *For each of the assessments used by*  
14       *the State for teacher certification or licensure—*

15                       “(i) *for each institution of higher edu-*  
16       *cation located in the State and each entity*  
17       *located in the State that offers an alter-*  
18       *native route for teacher certification or li-*  
19       *censure, the percentage of students at such*  
20       *institution or entity who have completed*  
21       *100 percent of the nonclinical coursework*  
22       *and taken the assessment who pass such as-*  
23       *essment;*

1           “(ii) the percentage of all such students  
2           at all such institutions taking the assess-  
3           ment who pass such assessment; and

4           “(iii) the percentage of students taking  
5           an assessment who completed the teacher  
6           preparation program after enrolling in the  
7           program, which shall be made available  
8           widely and publicly by the State.

9           “(E) A description of alternative routes to  
10          State certification or licensure in the State (in-  
11          cluding any such routes operated by entities that  
12          are not institutions of higher education), if any,  
13          including, for each of the assessments used by the  
14          State for teacher certification or licensure—

15          “(i) the percentage of individuals par-  
16          ticipating in such routes, or who have com-  
17          pleted such routes during the 2-year period  
18          preceding the date of the determination,  
19          who passed each such assessment; and

20          “(ii) the average scaled score of indi-  
21          viduals participating in such routes, or who  
22          have completed such routes during the pe-  
23          riod preceding the date of the determina-  
24          tion, who took each such assessment.

1           “(F) A description of the State’s criteria for  
2           assessing the performance of teacher preparation  
3           programs within institutions of higher education  
4           in the State. Such criteria shall include indica-  
5           tors of the academic content knowledge and  
6           teaching skills of students enrolled in such pro-  
7           grams.

8           “(G) For each teacher preparation program  
9           in the State, the criteria for admission into the  
10          program, the number of students in the program,  
11          disaggregated by race and gender (except that  
12          such disaggregation shall not be required in a  
13          case in which the number of students in a cat-  
14          egory is insufficient to yield statistically reliable  
15          information or the results would reveal person-  
16          ally identifiable information about an indi-  
17          vidual student), the average number of hours of  
18          supervised clinical experience required for those  
19          in the program, and the number of full-time  
20          equivalent faculty, adjunct faculty, and students  
21          in supervised clinical experience.

22          “(H) For the State as a whole, and for each  
23          teacher preparation program in the State, the  
24          number of teachers prepared, in the aggregate  
25          and reported separately by—

1                   “(i) area of certification or licensure;  
 2                   “(ii) academic major; and  
 3                   “(iii) subject area for which the teacher  
 4                   has been prepared to teach.

5                   “(I) Using the data generated under sub-  
 6                   paragraphs (G) and (H), a description of the ex-  
 7                   tent to which teacher preparation programs are  
 8                   helping to address shortages of highly qualified  
 9                   teachers, by area of certification or licensure,  
 10                  subject, and specialty, in the State’s public  
 11                  schools.

12                  “(J) A description of the activities that pre-  
 13                  pare teachers to effectively integrate technology  
 14                  into curricula and instruction and effectively use  
 15                  technology to collect, manage, and analyze data  
 16                  in order to improve teaching, learning, and deci-  
 17                  sionmaking for the purpose of increasing student  
 18                  academic achievement.

19                  “(2) PROHIBITION AGAINST CREATING A NA-  
 20                  TIONAL LIST.—The Secretary shall not create a na-  
 21                  tional list or ranking of States, institutions, or  
 22                  schools using the scaled scores provided under this  
 23                  subsection.

24                  “(c) REPORT OF THE SECRETARY ON THE QUALITY  
 25                  OF TEACHER PREPARATION.—

1           “(1) *REPORT CARD.*—*The Secretary shall pro-*  
2           *vide to Congress, and publish and make widely avail-*  
3           *able, a report card on teacher qualifications and*  
4           *preparation in the United States, including all the*  
5           *information reported in subparagraphs (A) through*  
6           *(J) of subsection (b)(1). Such report shall identify*  
7           *States for which eligible partnerships received a grant*  
8           *under this part. Such report shall be so provided,*  
9           *published, and made available annually.*

10           “(2) *REPORT TO CONGRESS.*—*The Secretary*  
11           *shall prepare and submit a report to Congress that*  
12           *contains the following:*

13                   “(A) *A comparison of States’ efforts to im-*  
14                   *prove the quality of the current and future teach-*  
15                   *ing force.*

16                   “(B) *A comparison of eligible partnerships’*  
17                   *efforts to improve the quality of the current and*  
18                   *future teaching force.*

19                   “(C) *The national mean and median scaled*  
20                   *scores and pass rate on any standardized test*  
21                   *that is used in more than 1 State for teacher cer-*  
22                   *tification or licensure.*

23           “(3) *SPECIAL RULE.*—*In the case of a teacher*  
24           *preparation program with fewer than 10 scores re-*  
25           *ported on any single initial teacher certification or li-*

1       *censure assessment during an academic year, the Sec-*  
 2       *retary shall collect and publish information, and*  
 3       *make publicly available, with respect to an average*  
 4       *pass rate and scaled score on each State certification*  
 5       *or licensure assessment taken over a 3-year period.*

6       “(d) *COORDINATION.*—*The Secretary, to the extent*  
 7       *practicable, shall coordinate the information collected and*  
 8       *published under this part among States for individuals who*  
 9       *took State teacher certification or licensure assessments in*  
 10       *a State other than the State in which the individual re-*  
 11       *ceived the individual’s most recent degree.*

12       **“SEC. 206. STATE FUNCTIONS.**

13       “(a) *STATE ASSESSMENT.*—*In order to receive funds*  
 14       *under this Act, a State shall have in place a procedure to*  
 15       *identify and assist, through the provision of technical as-*  
 16       *sistance, low-performing programs of teacher preparation.*  
 17       *Such State shall provide the Secretary an annual list of*  
 18       *such low-performing teacher preparation programs that in-*  
 19       *cludes an identification of those programs at risk of being*  
 20       *placed on such list. Such levels of performance shall be de-*  
 21       *termined solely by the State and may include criteria based*  
 22       *on information collected pursuant to this part. Such assess-*  
 23       *ment shall be described in the report under section 205(b).*

24       “(b) *TERMINATION OF ELIGIBILITY.*—*Any program of*  
 25       *teacher preparation from which the State has withdrawn*

1 *the State’s approval, or terminated the State’s financial*  
 2 *support, due to the low performance of the program based*  
 3 *upon the State assessment described in subsection (a)—*

4           “(1) *shall be ineligible for any funding for pro-*  
 5 *fessional development activities awarded by the De-*  
 6 *partment;*

7           “(2) *shall not be permitted to accept or enroll*  
 8 *any student that receives aid under title IV in the in-*  
 9 *stitution’s teacher preparation program; and*

10           “(3) *shall provide transitional support, includ-*  
 11 *ing remedial services if necessary, for students en-*  
 12 *rolled at the institution at the time of termination of*  
 13 *financial support or withdrawal of approval.*

14           “(c) *NEGOTIATED RULEMAKING.—If the Secretary de-*  
 15 *velops any regulations implementing subsection (b)(2), the*  
 16 *Secretary shall submit such proposed regulations to a nego-*  
 17 *tiated rulemaking process, which shall include representa-*  
 18 *tives of States, institutions of higher education, and edu-*  
 19 *cational and student organizations.*

20           “(d) *APPLICATION OF THE REQUIREMENTS.—The re-*  
 21 *quirements of this section shall apply to both traditional*  
 22 *teacher preparation programs and alternative routes to*  
 23 *State certification and licensure programs.*



1   **“SEC. 207. GENERAL PROVISIONS.**

2           “(a) *METHODS.*—*In complying with sections 205 and*  
3 *206, the Secretary shall ensure that States and institutions*  
4 *of higher education use fair and equitable methods in re-*  
5 *porting and that the reporting methods do not allow identi-*  
6 *fication of individuals.*

7           “(b) *SPECIAL RULE.*—*For each State that does not use*  
8 *content assessments as a means of ensuring that all teachers*  
9 *teaching in core academic subjects within the State are*  
10 *highly qualified, as required under section 1119 of the Ele-*  
11 *mentary and Secondary Education Act of 1965 and in ac-*  
12 *cordance with the State plan submitted or revised under*  
13 *section 1111 of such Act, and that each person employed*  
14 *as a special education teacher in the State who teaches ele-*  
15 *mentary school, middle school, or secondary school is highly*  
16 *qualified by the deadline, as required under section*  
17 *612(a)(14)(C) of the Individuals with Disabilities Edu-*  
18 *cation Act,—*

19               “(1) *the Secretary shall, to the extent practicable,*  
20       *collect data comparable to the data required under*  
21       *this part from States, local educational agencies, in-*  
22       *stitutions of higher education, or other entities that*  
23       *administer such assessments to teachers or prospective*  
24       *teachers; and*

25               “(2) *notwithstanding any other provision of this*  
26       *part, the Secretary shall use such data to carry out*

1        *requirements of this part related to assessments, pass*  
 2        *rates, and scaled scores.*

3        *“(c) RELEASE OF INFORMATION TO TEACHER PREPA-*  
 4        *RATION PROGRAMS.—*

5                *“(1) IN GENERAL.—For the purpose of improv-*  
 6        *ing teacher preparation programs, a State edu-*  
 7        *cational agency that receives funds under this Act, or*  
 8        *that participates as a member of a partnership, con-*  
 9        *sortium, or other entity that receives such funds, shall*  
 10       *provide to a teacher preparation program, upon the*  
 11       *request of the teacher preparation program, any and*  
 12       *all pertinent education-related information that—*

13                *“(A) may enable the teacher preparation*  
 14        *program to evaluate the effectiveness of the pro-*  
 15        *gram’s graduates or the program itself; and*

16                *“(B) is possessed, controlled, or accessible by*  
 17        *the State educational agency.*

18                *“(2) CONTENT OF INFORMATION.—The informa-*  
 19        *tion described in paragraph (1)—*

20                *“(A) shall include an identification of spe-*  
 21        *cific individuals who graduated from the teacher*  
 22        *preparation program to enable the teacher prep-*  
 23        *aration program to evaluate the information*  
 24        *provided to the program from the State edu-*  
 25        *cational agency with the program’s own data*

1           *about the specific courses taken by, and field ex-*  
 2           *periences of, the individual graduates; and*

3           *“(B) may include—*

4                   *“(i) kindergarten through grade 12*  
 5                   *academic achievement and demographic*  
 6                   *data, without revealing personally identifi-*  
 7                   *able information about an individual stu-*  
 8                   *dent, for students who have been taught by*  
 9                   *graduates of the teacher preparation pro-*  
 10                  *gram; and*

11                   *“(ii) teacher effectiveness evaluations*  
 12                   *for teachers who graduated from the teacher*  
 13                   *preparation program.*

14   **“SEC. 208. AUTHORIZATION OF APPROPRIATIONS.**

15           *“There are authorized to be appropriated to carry out*  
 16   *this part such sums as may be necessary for fiscal year 2008*  
 17   *and each of the 5 succeeding fiscal years.”.*

18   **SEC. 202. GENERAL PROVISIONS.**

19           *Title II (20 U.S.C. 1021 et seq.) is amended by adding*  
 20   *at the end the following:*

21                   **“PART C—GENERAL PROVISIONS**

22   **“SEC. 231. LIMITATIONS.**

23           *“(a) FEDERAL CONTROL PROHIBITED.—Nothing in*  
 24   *this title shall be construed to permit, allow, encourage, or*  
 25   *authorize any Federal control over any aspect of any pri-*

1 vate, religious, or home school, whether or not a home school  
 2 is treated as a private school or home school under State  
 3 law. This section shall not be construed to prohibit private,  
 4 religious, or home schools from participation in programs  
 5 or services under this title.

6 “(b) *NO CHANGE IN STATE CONTROL ENCOURAGED OR*  
 7 *REQUIRED.*—Nothing in this title shall be construed to en-  
 8 courage or require any change in a State’s treatment of any  
 9 private, religious, or home school, whether or not a home  
 10 school is treated as a private school or home school under  
 11 State law.

12 “(c) *NATIONAL SYSTEM OF TEACHER CERTIFICATION*  
 13 *OR LICENSURE PROHIBITED.*—Nothing in this title shall  
 14 be construed to permit, allow, encourage, or authorize the  
 15 Secretary to establish or support any national system of  
 16 teacher certification or licensure.”.

### 17 ***TITLE III—INSTITUTIONAL AID***

#### 18 ***SEC. 301. PROGRAM PURPOSE.***

19 Section 311 (20 U.S.C. 1057) is amended—

20 (1) in subsection (b)—

21 (A) in paragraph (1), by striking “351”  
 22 and inserting “391”; and

23 (B) in paragraph (3)(F), by inserting “, in-  
 24 cluding services that will assist in the education  
 25 of special populations” before the period; and

1           (2) in subsection (c)—

2                   (A) in paragraph (6), by inserting “, in-  
3                   cluding innovative, customized, remedial edu-  
4                   cation and English language instruction courses  
5                   designed to help retain students and move the  
6                   students rapidly into core courses and through  
7                   program completion” before the period;

8                   (B) by redesignating paragraphs (7)  
9                   through (12) as paragraphs (8) through (13), re-  
10                  spectively;

11                  (C) by inserting after paragraph (6) the fol-  
12                  lowing:

13                  “(7) Education or counseling services designed to  
14                  improve the financial literacy and economic literacy  
15                  of students or the students’ parents.”;

16                  (D) in paragraph (12) (as redesignated by  
17                  subparagraph (B)), by striking “distance learn-  
18                  ing academic instruction capabilities” and in-  
19                  serting “distance education technologies”; and

20                  (E) in the matter preceding subparagraph  
21                  (A) of paragraph (13) (as redesignated by sub-  
22                  paragraph (B)), by striking “subsection (c)” and  
23                  inserting “subsection (b) and section 391”.

24   **SEC. 302. DEFINITIONS; ELIGIBILITY.**

25           Section 312 (20 U.S.C. 1058) is amended—

1           (1) in subsection (b)(1)(A), by striking “sub-  
 2           section (c) of this section” and inserting “subsection  
 3           (d)”; and

4           (2) in subsection (d)(2), by striking “subdivi-  
 5           sion” and inserting “paragraph”.

6 **SEC. 303. AMERICAN INDIAN TRIBALLY CONTROLLED COL-**  
 7 **LEGES AND UNIVERSITIES.**

8           Section 316 (20 U.S.C. 1059c) is amended—

9           (1) by striking subsection (b)(3) and inserting  
 10          the following:

11           “(3) TRIBAL COLLEGE OR UNIVERSITY.—The  
 12          term ‘Tribal College or University’ means an institu-  
 13          tion that—

14           “(A) qualifies for funding under the Trib-  
 15          ally Controlled College or University Assistance  
 16          Act of 1978 (25 U.S.C. 1801 et seq.) or the Nav-  
 17          ajo Community College Assistance Act of 1978  
 18          (25 U.S.C. 640a note); or

19           “(B) is cited in section 532 of the Equity  
 20          in Educational Land-Grant Status Act of 1994  
 21          (7 U.S.C. 301 note).”;

22          (2) in subsection (c)(2)—

23           (A) in subparagraph (B), by inserting be-  
 24          fore the semicolon at the end the following: “and

1        *the acquisition of real property adjacent to the*  
 2        *campus of the institution”;*

3                *(B) by redesignating subparagraphs (G),*  
 4        *(H), (I), (J), (K), and (L) as subparagraphs*  
 5        *(H), (I), (J), (K), (L), and (N), respectively;*

6                *(C) by inserting after subparagraph (F) the*  
 7        *following:*

8                *“(G) education or counseling services de-*  
 9        *signed to improve the financial literacy and eco-*  
 10        *nomic literacy of students or the students’ par-*  
 11        *ents;”;*

12                *(D) in subparagraph (L) (as redesignated*  
 13        *by subparagraph (B)), by striking “and” after*  
 14        *the semicolon;*

15                *(E) by inserting after subparagraph (L) (as*  
 16        *redesignated by subparagraph (B)) the following:*

17                *“(M) developing or improving facilities for*  
 18        *Internet use or other distance education tech-*  
 19        *nologies; and”; and*

20                *(F) in subparagraph (N) (as redesignated*  
 21        *by subparagraph (B)), by striking “subpara-*  
 22        *graphs (A) through (K)” and inserting “sub-*  
 23        *paragraphs (A) through (M)”;* and

24                *(3) by striking subsection (d) and inserting the*  
 25        *following:*

1 “(d) *APPLICATION, PLAN, AND ALLOCATION.*—

2 “(1) *INSTITUTIONAL ELIGIBILITY.*—*To be eligible*  
 3 *to receive assistance under this section, a Tribal Col-*  
 4 *lege or University shall be an eligible institution*  
 5 *under section 312(b).*

6 “(2) *APPLICATION.*—

7 “(A) *IN GENERAL.*—*A Tribal College or*  
 8 *University desiring to receive assistance under*  
 9 *this section shall submit an application to the*  
 10 *Secretary at such time, and in such manner, as*  
 11 *the Secretary may reasonably require.*

12 “(B) *STREAMLINED PROCESS.*—*The Sec-*  
 13 *retary shall establish application requirements*  
 14 *in such a manner as to simplify and streamline*  
 15 *the process for applying for grants.*

16 “(3) *ALLOCATIONS TO INSTITUTIONS.*—

17 “(A) *CONSTRUCTION GRANTS.*—

18 “(i) *IN GENERAL.*—*Of the amount ap-*  
 19 *propriated to carry out this section for any*  
 20 *fiscal year, the Secretary may reserve 30*  
 21 *percent for the purpose of awarding 1-year*  
 22 *grants of not less than \$1,000,000 to ad-*  
 23 *dress construction, maintenance, and ren-*  
 24 *ovation needs at eligible institutions.*



1           “(ii) *PREFERENCE.—In providing*  
 2           *grants under clause (i), the Secretary shall*  
 3           *give preference to eligible institutions that*  
 4           *have not yet received an award under this*  
 5           *section.*

6           “(B) *ALLOTMENT OF REMAINING FUNDS.—*

7           “(i) *IN GENERAL.—Except as provided*  
 8           *in clause (ii), the Secretary shall distribute*  
 9           *the remaining funds appropriated for any*  
 10           *fiscal year to each eligible institution as fol-*  
 11           *lows:*

12                   “(I) *60 percent of the remaining*  
 13                   *appropriated funds shall be distributed*  
 14                   *among the eligible Tribal Colleges and*  
 15                   *Universities on a pro rata basis, based*  
 16                   *on the respective Indian student counts*  
 17                   *(as defined in section 2(a) of the Trib-*  
 18                   *ally Controlled College or University*  
 19                   *Assistance Act of 1978 (25 U.S.C.*  
 20                   *1801(a)) of the Tribal Colleges and*  
 21                   *Universities; and*

22                   “(II) *the remaining 40 percent*  
 23                   *shall be distributed in equal shares to*  
 24                   *the eligible Tribal Colleges and Univer-*  
 25                   *sities.*

1                   “(ii) *MINIMUM GRANT.*—*The amount*  
 2                   *distributed to a Tribal College or University*  
 3                   *under clause (i) shall not be less than*  
 4                   *\$500,000.*

5                   “(4) *SPECIAL RULES.*—

6                   “(A) *CONCURRENT FUNDING.*—*For the pur-*  
 7                   *poses of this part, no Tribal College or Univer-*  
 8                   *sity that is eligible for and receives funds under*  
 9                   *this section shall concurrently receive funds*  
 10                  *under other provisions of this part or part B.*

11                  “(B) *EXEMPTION.*—*Section 313(d) shall not*  
 12                  *apply to institutions that are eligible to receive*  
 13                  *funds under this section.”.*

14   **SEC. 304. ALASKA NATIVE AND NATIVE HAWAIIAN-SERVING**  
 15                   **INSTITUTIONS.**

16                  *Section 317(c)(2) (20 U.S.C. 1059d(c)(2)) is amend-*  
 17                  *ed—*

18                  (1) *in subparagraph (G), by striking “and” after*  
 19                  *the semicolon;*

20                  (2) *in subparagraph (H), by striking the period*  
 21                  *and inserting “; and”; and*

22                  (3) *by adding at the end the following:*

23                         “(I) *education or counseling services de-*  
 24                         *signed to improve the financial literacy and eco-*

1           *nomie literacy of students or the students' par-*  
 2           *ents."*

3   **SEC. 305. NATIVE AMERICAN-SERVING, NONTRIBAL INSTI-**  
 4           **TUTIONS.**

5           *(a) GRANT PROGRAM AUTHORIZED.—Part A of title*  
 6   *III (20 U.S.C. 1057 et seq.) is amended by adding at the*  
 7   *end the following:*

8   **"SEC. 318. NATIVE AMERICAN-SERVING, NONTRIBAL INSTI-**  
 9           **TUTIONS.**

10          *"(a) PROGRAM AUTHORIZED.—The Secretary shall*  
 11   *provide grants and related assistance to Native American-*  
 12   *serving, nontribal institutions to enable such institutions*  
 13   *to improve and expand their capacity to serve Native Amer-*  
 14   *icans.*

15          *"(b) DEFINITIONS.—In this section:*

16                *"(1) NATIVE AMERICAN.—The term 'Native*  
 17    *American' means an individual who is of a tribe,*  
 18    *people, or culture that is indigenous to the United*  
 19    *States.*

20                *"(2) NATIVE AMERICAN-SERVING, NONTRIBAL IN-*  
 21    *STITUTION.—The term 'Native American-serving,*  
 22    *nontribal institution' means an institution of higher*  
 23    *education that, at the time of application—*

1           “(A) has an enrollment of undergraduate  
2           students that is not less than 10 percent Native  
3           American students; and

4           “(B) is not a Tribal College or University  
5           (as defined in section 316).

6           “(c) *AUTHORIZED ACTIVITIES.*—

7           “(1) *TYPES OF ACTIVITIES AUTHORIZED.*—  
8           Grants awarded under this section shall be used by  
9           Native American-serving, nontribal institutions to as-  
10          sist such institutions to plan, develop, undertake, and  
11          carry out activities to improve and expand such in-  
12          stitutions’ capacity to serve Native Americans.

13          “(2) *EXAMPLES OF AUTHORIZED ACTIVITIES.*—  
14          Such programs may include—

15               “(A) the purchase, rental, or lease of sci-  
16               entific or laboratory equipment for educational  
17               purposes, including instructional and research  
18               purposes;

19               “(B) renovation and improvement in class-  
20               room, library, laboratory, and other instruc-  
21               tional facilities;

22               “(C) support of faculty exchanges, and fac-  
23               ulty development and faculty fellowships to as-  
24               sist faculty in attaining advanced degrees in the  
25               faculty’s field of instruction;

1                   “(D) *curriculum development and academic*  
2                   *instruction;*

3                   “(E) *the purchase of library books, periodi-*  
4                   *cals, microfilm, and other educational materials;*

5                   “(F) *funds and administrative manage-*  
6                   *ment, and acquisition of equipment for use in*  
7                   *strengthening funds management;*

8                   “(G) *the joint use of facilities such as lab-*  
9                   *oratories and libraries; and*

10                  “(H) *academic tutoring and counseling pro-*  
11                  *grams and student support services.*

12                  “(d) *APPLICATION PROCESS.—*

13                  “(1) *INSTITUTIONAL ELIGIBILITY.—A Native*  
14                  *American-serving, nontribal institution desiring to*  
15                  *receive assistance under this section shall submit to*  
16                  *the Secretary such enrollment data as may be nec-*  
17                  *essary to demonstrate that the institution is a Native*  
18                  *American-serving, nontribal institution, along with*  
19                  *such other information and data as the Secretary*  
20                  *may by regulation require.*

21                  “(2) *APPLICATIONS.—*

22                  “(A) *PERMISSION TO SUBMIT APPLICA-*  
23                  *TIONS.—Any institution that is determined by*  
24                  *the Secretary to be a Native American-serving,*

1        *nontribal institution may submit an application*  
 2        *for assistance under this section to the Secretary.*

3                “(B) *SIMPLIFIED AND STREAMLINED FOR-*  
 4        *MAT.—The Secretary shall, to the extent possible,*  
 5        *prescribe a simplified and streamlined format*  
 6        *for applications under this section that takes*  
 7        *into account the limited number of institutions*  
 8        *that are eligible for assistance under this section.*

9                “(C) *CONTENT.—An application submitted*  
 10        *under subparagraph (A) shall include—*

11                “(i) *a 5-year plan for improving the*  
 12                *assistance provided by the Native Amer-*  
 13                *ican-serving, nontribal institution to Native*  
 14                *Americans; and*

15                “(ii) *such other information and assur-*  
 16                *ances as the Secretary may require.*

17                “(3) *SPECIAL RULES.—*

18                “(A) *ELIGIBILITY.—No Native American-*  
 19        *serving, nontribal institution that receives funds*  
 20        *under this section shall concurrently receive*  
 21        *funds under other provisions of this part or part*  
 22        *B.*

23                “(B) *EXEMPTION.—Section 313(d) shall not*  
 24        *apply to institutions that are eligible to receive*  
 25        *funds under this section.*

1           “(C) *DISTRIBUTION.*—*In awarding grants*  
 2           *under this section, the Secretary shall, to the ex-*  
 3           *tent possible and consistent with the competitive*  
 4           *process under which such grants are awarded,*  
 5           *ensure maximum and equitable distribution*  
 6           *among all eligible institutions.”.*

7           (b) *MINIMUM GRANT AMOUNT.*—*Section 399 (20*  
 8           *U.S.C. 1068h) is amended by adding at the end the fol-*  
 9           *lowing:*

10          “(c) *MINIMUM GRANT AMOUNT.*—*The minimum*  
 11          *amount of a grant under this title shall be \$200,000.”.*

12   **SEC. 306. PART B DEFINITIONS.**

13          *Section 322(4) (20 U.S.C. 1061(4)) is amended by in-*  
 14          *serting “, in consultation with the Commissioner for Edu-*  
 15          *cation Statistics” before “and the Commissioner”.*

16   **SEC. 307. GRANTS TO INSTITUTIONS.**

17          *Section 323(a) (20 U.S.C. 1062(a)) is amended—*

18               (1) *in the matter preceding paragraph (1), by*  
 19               *striking “360(a)(2)” and inserting “399(a)(2)”;*

20               (2) *by redesignating paragraphs (7) through (12)*  
 21               *as paragraphs (8) through (13), respectively; and*

22               (3) *by inserting after paragraph (6) the fol-*  
 23               *lowing:*

1           “(7) *Education or counseling services designed to*  
 2           *improve the financial literacy and economic literacy*  
 3           *of students or the students’ parents.*”.

4   **SEC. 308. ALLOTMENTS TO INSTITUTIONS.**

5           *Section 324 (20 U.S.C. 1063) is amended by adding*  
 6           *at the end the following:*

7           “(h) *SPECIAL RULE ON ELIGIBILITY.*—*Notwith-*  
 8           *standing any other provision of this section, a part B insti-*  
 9           *tution shall not receive an allotment under this section un-*  
 10          *less the part B institution provides, on an annual basis,*  
 11          *data indicating that the part B institution—*

12           “(1) *enrolled Federal Pell Grant recipients in the*  
 13          *preceding academic year;*

14           “(2) *in the preceding academic year, has grad-*  
 15          *uated students from a program of academic study*  
 16          *that is licensed or accredited by a nationally recog-*  
 17          *nized accrediting agency or association recognized by*  
 18          *the Secretary pursuant to part H of title IV where*  
 19          *appropriate; and*

20           “(3) *where appropriate, has graduated students*  
 21          *who, within the past 5 years, enrolled in graduate or*  
 22          *professional school.*”.

23   **SEC. 309. PROFESSIONAL OR GRADUATE INSTITUTIONS.**

24          *Section 326 (20 U.S.C. 1063b) is amended—*

25           (1) *in subsection (c)—*



1           (A) in paragraph (2), by inserting “, and  
 2           for the acquisition and development of real prop-  
 3           erty that is adjacent to the campus for such con-  
 4           struction, maintenance, renovation, or improve-  
 5           ment” after “services”;

6           (B) by redesignating paragraphs (5)  
 7           through (7) as paragraphs (7) through (9), re-  
 8           spectively;

9           (C) by inserting after paragraph (4) the fol-  
 10          lowing:

11          “(5) tutoring, counseling, and student service  
 12          programs designed to improve academic success;

13          “(6) education or counseling services designed to  
 14          improve the financial literacy and economic literacy  
 15          of students or the students’ parents;”;

16          (D) in paragraph (7) (as redesignated by  
 17          subparagraph (B)), by striking “establish or im-  
 18          prove” and inserting “establishing or improv-  
 19          ing”;

20          (E) in paragraph (8) (as redesignated by  
 21          subparagraph (B))—

22               (i) by striking “assist” and inserting  
 23               “assisting”; and

24               (ii) by striking “and” after the semi-  
 25               colon;

1           (F) in paragraph (9) (as redesignated by  
2           subparagraph (B)), by striking the period and  
3           inserting “; and”; and

4           (G) by adding at the end the following:

5           “(10) other activities proposed in the application  
6           submitted under subsection (d) that—

7           “(A) contribute to carrying out the purposes  
8           of this part; and

9           “(B) are approved by the Secretary as part  
10          of the review and acceptance of such applica-  
11          tion.”;

12          (2) in subsection (e)—

13           (A) in paragraph (1)—

14           (i) by inserting a colon after “the fol-  
15           lowing”;

16           (ii) in subparagraph (Q), by striking  
17           “and” at the end;

18           (iii) in subparagraph (R), by striking  
19           the period and inserting a semicolon; and

20           (iv) by adding at the end the following:

21           “(S) Alabama State University qualified  
22           graduate program;

23           “(T) Coppin State University qualified  
24           graduate program;

1           “(U) *Prairie View A & M University quali-*  
2           *fied graduate program;*

3           “(V) *Fayetteville State University qualified*  
4           *graduate program;*

5           “(W) *Delaware State University qualified*  
6           *graduate program;*

7           “(X) *Langston University qualified grad-*  
8           *uate program; and*

9           “(Y) *West Virginia State University quali-*  
10          *fied graduate program.”;*

11          (B) *in paragraph (2)(A)—*

12           (i) *by inserting “in law or” after “in-*  
13           *struction”;* and

14           (ii) *by striking “mathematics, or” and*  
15           *inserting “mathematics, psychometrics, or”;*

16          (C) *in paragraph (3)—*

17           (i) *by striking “1998” and inserting*  
18           *“2007”;* and

19           (ii) *by striking “(Q) and (R)” and in-*  
20           *serting “(S), (T), (U), (V), (W), (X), and*  
21           *(Y)”;*

22          (3) *in subsection (f)—*

23           (A) *in paragraph (1), by striking “(P)”*  
24           *and inserting “(R)”;*

1           (B) in paragraph (2), by striking “(Q) and  
2           (R)” and inserting “(S), (T), (U), (V), (W), (X),  
3           and (Y)”; and

4           (C) in paragraph (3)—

5                 (i) in the matter preceding subpara-  
6                 graph (A), by striking “(R)” and inserting  
7                 “(Y)”;

8                 (ii) by striking subparagraphs (A) and  
9                 (B) and inserting the following:

10                 “(A) The amount of non-Federal funds for  
11                 the fiscal year for which the determination is  
12                 made that the institution or program listed in  
13                 subsection (e)—

14                         “(i) allocates from institutional re-  
15                         sources;

16                         “(ii) secures from non-Federal sources,  
17                         including amounts appropriated by the  
18                         State and amounts from the private sector;  
19                         and

20                         “(iii) will utilize to match Federal  
21                         funds awarded for the fiscal year for which  
22                         the determination is made under this sec-  
23                         tion to the institution or program.

24                 “(B) The number of students enrolled in the  
25                 qualified graduate programs of the eligible insti-

1        *tution or program, for which the institution or*  
 2        *program received and allocated funding under*  
 3        *this section in the preceding year.”;*

4                *(iii) in subparagraph (C), by striking*  
 5                *“(or the equivalent) enrolled in the eligible*  
 6                *professional or graduate school” and all*  
 7                *that follows through the period and insert-*  
 8                *ing “enrolled in the qualified programs or*  
 9                *institutions listed in paragraph (1).”;*

10               *(iv) in subparagraph (D)—*

11                        *(I) by striking “students” and in-*  
 12                        *serting “Black American students or*  
 13                        *minority students”; and*

14                        *(II) by striking “institution” and*  
 15                        *inserting “institution or program”;*  
 16                        *and*

17                        *(v) by striking subparagraph (E) and*  
 18                        *inserting the following:*

19                        *“(E) The percentage that the total number*  
 20                        *of Black American students and minority stu-*  
 21                        *dents who receive their first professional, mas-*  
 22                        *ter’s, or doctoral degrees from the institution or*  
 23                        *program in the academic year preceding the aca-*  
 24                        *demic year for which the determination is made,*  
 25                        *represents of the total number of Black American*

1        *students and minority students in the United*  
 2        *States who receive their first professional, mas-*  
 3        *ter's, or doctoral degrees in the professions or*  
 4        *disciplines related to the course of study at such*  
 5        *institution or program, respectively, in the pre-*  
 6        *ceding academic year.”; and*

7        *(4) in subsection (g), by striking “1998” and in-*  
 8        *serting “2007”.*

9    **SEC. 310. AUTHORITY OF THE SECRETARY.**

10        *Section 345 (20 U.S.C. 1066d) is amended—*

11                *(1) in paragraph (6), by striking “and” after the*  
 12        *semicolon;*

13                *(2) in paragraph (7), by striking the period at*  
 14        *the end and inserting “; and”; and*

15                *(3) by adding at the end the following:*

16                *“(8) not later than 90 days after the date of en-*  
 17        *actment of the Higher Education Amendments of*  
 18        *2007, shall submit to the authorizing committees a re-*  
 19        *port on the progress of the Department in imple-*  
 20        *menting the recommendations made by the Govern-*  
 21        *ment Accountability Office in October 2006 for im-*  
 22        *proving the Historically Black College and Univer-*  
 23        *sities Capital Financing Program.”.*

1 **SEC. 311. AUTHORIZATION OF APPROPRIATIONS.**

2 *Subsection (a) of section 399 (20 U.S.C. 1068h) is*  
3 *amended to read as follows:*

4 “(a) *AUTHORIZATIONS.*—

5 “(1) *PART A.*—(A) *There are authorized to be*  
6 *appropriated to carry out part A (other than sections*  
7 *316, 317, and 318) such sums as may be necessary*  
8 *for fiscal year 2008 and each of the 5 succeeding fis-*  
9 *cal years.*

10 “(B) *There are authorized to be appropriated to*  
11 *carry out section 316 such sums as may be necessary*  
12 *for fiscal year 2008 and each of the 5 succeeding fis-*  
13 *cal years.*

14 “(C) *There are authorized to be appropriated to*  
15 *carry out section 317 such sums as may be necessary*  
16 *for fiscal year 2008 and each of the 5 succeeding fis-*  
17 *cal years.*

18 “(D) *There are authorized to be appropriated to*  
19 *carry out section 318 such sums as may be necessary*  
20 *for fiscal year 2008 and each of the 5 succeeding fis-*  
21 *cal years.*

22 “(2) *PART B.*—(A) *There are authorized to be*  
23 *appropriated to carry out part B (other than section*  
24 *326) such sums as may be necessary for fiscal year*  
25 *2008 and each of the 5 succeeding fiscal years.*

1           “(B) *There are authorized to be appropriated to*  
 2           *carry out section 326 such sums as may be necessary*  
 3           *for fiscal year 2008 and each of the 5 succeeding fis-*  
 4           *cal years.*

5           “(3) *PART C.—There are authorized to be appro-*  
 6           *priated to carry out part C such sums as may be nec-*  
 7           *essary for fiscal year 2008 and each of the 5 suc-*  
 8           *ceeding fiscal years.*

9           “(4) *PART D.—(A) There are authorized to be*  
 10          *appropriated to carry out part D (other than section*  
 11          *345(7), but including section 347) such sums as may*  
 12          *be necessary for fiscal year 2008 and each of the 5*  
 13          *succeeding fiscal years.*

14          “(B) *There are authorized to be appropriated to*  
 15          *carry out section 345(7) such sums as may be nec-*  
 16          *essary for fiscal year 2008 and each of the 5 suc-*  
 17          *ceeding fiscal years.*

18          “(5) *PART E.—There are authorized to be appro-*  
 19          *priated to carry out part E such sums as may be nec-*  
 20          *essary for fiscal year 2008 and each of the 5 suc-*  
 21          *ceeding fiscal years.”.*

22   **SEC. 312. TECHNICAL CORRECTIONS.**

23          *Title III (20 U.S.C. 1051 et seq.) is further amended—*

24               (1)   *in section 342(5)(C) (20 U.S.C.*  
 25               *1066a(5)(C)), by striking “,” and inserting “,”;*



1           (2) *in section 343(e) (20 U.S.C. 1066b(e)), by in-*  
 2           *serting “SALE OF QUALIFIED BONDS.—” before “Not-*  
 3           *withstanding”;*

4           (3) *in the matter preceding clause (i) of section*  
 5           *365(9)(A) (20 U.S.C. 1067k(9)(A)), by striking “sup-*  
 6           *port” and inserting “supports”;*

7           (4) *in section 391(b)(7)(E) (20 U.S.C.*  
 8           *1068(b)(7)(E)), by striking “subparagraph (E)” and*  
 9           *inserting “subparagraph (D)”;*

10          (5) *in the matter preceding subparagraph (A) of*  
 11          *section 392(b)(2) (20 U.S.C. 1068a(b)(2)), by striking*  
 12          *“eligible institutions under part A institutions” and*  
 13          *inserting “eligible institutions under part A”; and*

14          (6) *in the matter preceding paragraph (1) of sec-*  
 15          *tion 396 (20 U.S.C. 1068e), by striking “360” and*  
 16          *inserting “399”.*

## 17 ***TITLE IV—STUDENT ASSISTANCE***

### 18 ***PART A—GRANTS TO STUDENTS IN ATTENDANCE***

#### 19 ***AT INSTITUTIONS OF HIGHER EDUCATION***

#### 20 ***SEC. 401. FEDERAL PELL GRANTS.***

21          (a) *AMENDMENTS.—Section 401 (20 U.S.C. 1070a) is*  
 22          *amended—*

23               (1) *in subsection (a)—*

24                       (A) *in paragraph (1)—*

1                   (i) in the first sentence, by striking  
2                   “2004” and inserting “2013”; and

3                   (ii) in the second sentence, by striking  
4                   “,” and inserting “,”; and

5                   (B) in paragraph (3), by striking “this sub-  
6                   part” and inserting “this section”;

7                   (2) in subsection (b)—

8                   (A) by striking paragraph (2)(A) and in-  
9                   serting the following:

10                  “(2)(A) The amount of the Federal Pell Grant for a  
11                  student eligible under this part shall be—

12                   “(i) \$5,400 for academic year 2008–2009;

13                   “(ii) \$5,700 for academic year 2009–2010;

14                   “(iii) \$6,000 for academic year 2010–2011; and

15                   “(iv) \$6,300 for academic year 2011–2012,

16                  less an amount equal to the amount determined to be the  
17                  expected family contribution with respect to that student  
18                  for that year.”;

19                   (B) by striking paragraph (3);

20                   (C) in paragraph (4) (as redesignated by  
21                   subparagraph (C)), by striking “\$400, except”  
22                   and all that follows through the period and in-  
23                   serting “10 percent of the maximum basic grant  
24                   level specified in the appropriate Appropriation  
25                   Act for such academic year, except that a student

1           *who is eligible for a Federal Pell Grant in an*  
 2           *amount that is equal to or greater than 5 percent*  
 3           *of such level but less than 10 percent of such level*  
 4           *shall be awarded a Federal Pell grant in the*  
 5           *amount of 10 percent of such level.”; and*

6                     *(D) by striking paragraph (5) (as redesign-*  
 7           *ated by subparagraph (C)) and inserting the*  
 8           *following:*

9           *“(5) In the case of a student who is enrolled, on at*  
 10       *least a half-time basis and for a period of more than 1 aca-*  
 11       *demic year in a single award year in a 2-year or 4-year*  
 12       *program of instruction for which an institution of higher*  
 13       *education awards an associate or baccalaureate degree, the*  
 14       *Secretary shall award such student not more than 2 Federal*  
 15       *Pell Grants during that award year to permit such student*  
 16       *to accelerate the student’s progress toward a degree. In the*  
 17       *case of a student receiving more than 1 Federal Pell Grant*  
 18       *in a single award year, the total amount of Federal Pell*  
 19       *Grants awarded to such student for the award year may*  
 20       *exceed the maximum basic grant level specified in the ap-*  
 21       *propriate appropriations Act for such award year.”; and*

22                     *(3) in subsection (c), by adding at the end the*  
 23       *following:*

24           *“(5) The period of time during which a student may*  
 25       *receive Federal Pell Grants shall not exceed 18 semesters,*

1 *or an equivalent period of time as determined by the Sec-*  
 2 *retary pursuant to regulations, which period shall—*

3 *“(A) be determined without regard to whether*  
 4 *the student is enrolled on a full-time basis during any*  
 5 *portion of the period of time; and*

6 *“(B) include any period of time for which the*  
 7 *student received a Federal Pell Grant prior to July*  
 8 *1, 2008.”.*

9 *(b) EFFECTIVE DATE.—The amendments made by sub-*  
 10 *section (a) shall take effect on July 1, 2008.*

11 **SEC. 402. ACADEMIC COMPETITIVENESS GRANTS.**

12 *Section 401A (20 U.S.C. 1070a–1) is amended—*

13 *(1) by striking subsection (a) and inserting the*  
 14 *following:*

15 *“(a) ACADEMIC COMPETITIVENESS GRANT PROGRAM*  
 16 *AUTHORIZED.—The Secretary shall award grants, in the*  
 17 *amounts specified in subsection (d)(1), to eligible students*  
 18 *to assist the eligible students in paying their college edu-*  
 19 *cation expenses.”;*

20 *(2) in subsection (b)—*

21 *(A) in paragraph (1), by striking “aca-*  
 22 *demic”; and*

23 *(B) in paragraph (2), by striking “third or*  
 24 *fourth academic” and inserting “third, fourth, or*  
 25 *fifth”;*

1           (3) in subsection (c)—

2                   (A) in the matter preceding paragraph (1),  
3           by striking “full-time” and all that follows  
4           through “is made” and inserting “student who”;

5                   (B) by striking paragraph (1) and inserting  
6           the following:

7                   “(1) is eligible for a Federal Pell Grant for the  
8           award year in which the determination of eligibility  
9           is made for a grant under this section;”;

10                  (C) by striking paragraph (2) and inserting  
11           the following:

12                  “(2) is enrolled or accepted for enrollment in an  
13           institution of higher education on not less than a  
14           half-time basis; and”; and

15                  (D) in paragraph (3)—

16                   (i) by striking subparagraph (A) and  
17           inserting the following:

18                   “(A) the first year of a program of under-  
19           graduate education at a 2- or 4-year degree-  
20           granting institution of higher education (includ-  
21           ing a program of not less than 1 year for which  
22           the institution awards a certificate), has success-  
23           fully completed, after January 1, 2006, a rig-  
24           orous secondary school program of study estab-

lished by a State or local educational agency and  
 recognized as such by the Secretary;”;

(ii) in subparagraph (B)—

(I) in the matter preceding clause  
 (i), by striking “academic” and all  
 that follows through “higher edu-  
 cation” and inserting “year of a pro-  
 gram of undergraduate education at a  
 2- or 4-year degree-granting institu-  
 tion of higher education (including a  
 program of not less than 2 years for  
 which the institution awards a certifi-  
 cate)”; and

(II) in clause (ii)—

(aa) by striking “academic”;

and

(bb) by striking “or” after  
 the semicolon at the end;

(iii) in subparagraph (C)—

(I) by striking “academic”;

(II) by striking “four” and insert-  
 ing “4”;

(III) by striking clause (i)(II)  
 and inserting the following:

1                   “(II) a critical foreign language;  
2                   and”; and

3                   (IV) in clause (ii), by striking the  
4                   period at the end and inserting a semi-  
5                   colon; and

6                   (iv) by adding at the end the following:

7                   “(D) the third or fourth year of a program  
8                   of undergraduate education at an institution of  
9                   higher education (as defined in section 101(a))  
10                  that demonstrates, to the satisfaction of the Sec-  
11                  retary, that the institution—

12                  “(i) offers a single liberal arts cur-  
13                  riculum leading to a baccalaureate degree,  
14                  under which students are not permitted by  
15                  the institution to declare a major in a par-  
16                  ticular subject area, but do study, in such  
17                  years, a subject described in subparagraph  
18                  (C)(i) that is at least equal to the require-  
19                  ments for an academic major at an institu-  
20                  tion of higher education that offers a bacca-  
21                  laureate degree in such subject, as certified  
22                  by the appropriate official of the dem-  
23                  onstrating institution; and

24                  “(ii) offered such curriculum prior to  
25                  February 8, 2006; or

1           “(E) the fifth year of a program of under-  
 2           graduate education that requires 5 full years of  
 3           coursework for which a baccalaureate degree is  
 4           awarded by a degree-granting institution of  
 5           higher education, as certified by the appropriate  
 6           official of such institution—

7                   “(i) is pursuing a major in—

8                           “(I) the physical, life, or computer  
 9                           sciences, mathematics, technology, or  
 10                          engineering (as determined by the Sec-  
 11                          retary pursuant to regulations); or

12                           “(II) a critical foreign language;

13                          and

14                           “(ii) has obtained a cumulative grade  
 15                          point average of at least 3.0 (or the equiva-  
 16                          lent, as determined under regulations pre-  
 17                          scribed by the Secretary) in the coursework  
 18                          required for the major described in clause  
 19                          (i).”;

20           (4) in subsection (d)—

21                   (A) in paragraph (1)—

22                           (i) in subparagraph (A)—

23                                   (I) by striking “The” and insert-  
 24                                   ing “IN GENERAL.—The”;



1                   (II) in clause (ii), by striking  
2                   “or” after the semicolon at the end;

3                   (III) in clause (iii), by striking  
4                   “subsection (c)(3)(C).” and inserting  
5                   “subparagraph (C) or (D) of subsection  
6                   (c)(3), for each of the 2 years described  
7                   in such subparagraphs; or”; and

8                   (IV) by adding at the end the fol-  
9                   lowing:

10                  “(iv) \$4,000 for an eligible student  
11                  under subsection (c)(3)(E).”; and

12                  (ii) in subparagraph (B)—

13                   (I) by striking “Notwithstanding”  
14                   and inserting “LIMITATION; RATABLE  
15                   REDUCTION.—Notwithstanding”;

16                   (II) by redesignating clauses (i),  
17                   (ii), and (iii), as clauses (ii), (iii), and  
18                   (iv), respectively; and

19                   (III) by inserting before clause  
20                   (ii), as redesignated under subclause  
21                   (II), the following:

22                   “(i) in any case in which a student at-  
23                   tends an institution of higher education on  
24                   less than a full-time basis, the amount of  
25                   the grant that such student may receive

1           *shall be reduced in the same manner as a*  
 2           *Federal Pell Grant is reduced under section*  
 3           *401(b)(2)(B);”;*

4           *(B) by striking paragraph (2) and inserting*  
 5           *the following:*

6           “(2) *LIMITATIONS.—*

7                 “(A) *NO GRANTS FOR PREVIOUS CREDIT.—*  
 8           *The Secretary may not award a grant under this*  
 9           *section to any student for any year of a program*  
 10           *of undergraduate education for which the student*  
 11           *received credit before the date of enactment of the*  
 12           *Higher Education Reconciliation Act of 2005.*

13                 “(B) *NUMBER OF GRANTS.—*

14                         “(i) *FIRST YEAR.—In the case of a stu-*  
 15           *dent described in subsection (c)(3)(A), the*  
 16           *Secretary may not award more than 1*  
 17           *grant to such student for such first year of*  
 18           *study.*

19                         “(ii) *SECOND YEAR.—In the case of a*  
 20           *student described in subsection (c)(3)(B),*  
 21           *the Secretary may not award more than 1*  
 22           *grant to such student for such second year*  
 23           *of study.*

24                         “(iii) *THIRD AND FOURTH YEARS.—In*  
 25           *the case of a student described in subpara-*

graph (C) or (D) of subsection (c)(3), the Secretary may not award more than 1 grant to such student for each of the third and fourth years of study.

“(iv) *FIFTH YEAR.*—In the case of a student described in subsection (c)(3)(E), the Secretary may not award more than 1 grant to such student for such fifth year of study.”; and

(C) by adding at the end the following:

“(3) *CALCULATION OF GRANT PAYMENTS.*—An institution of higher education shall make payments of a grant awarded under this section in the same manner, using the same payment periods, as such institution makes payments for Federal Pell Grants under section 401.”;

(5) by striking subsection (e)(2) and inserting the following:

“(2) *AVAILABILITY OF FUNDS.*—Funds made available under paragraph (1) for a fiscal year shall remain available for the succeeding fiscal year.”;

(6) in subsection (f)—

(A) by striking “at least one” and inserting “not less than 1”; and

1                   (B) by striking “subsection (c)(3)(A) and  
 2                   (B)” and inserting “subparagraphs (A) and (B)  
 3                   of subsection (c)(3)”; and  
 4                   (7) in subsection (g), by striking “academic”  
 5                   and inserting “award”.

6 **SEC. 403. FEDERAL TRIO PROGRAMS.**

7           (a) *PROGRAM AUTHORITY; AUTHORIZATION OF AP-*  
 8 *PROPRIATIONS.*—Section 402A (20 U.S.C. 1070a–11) is  
 9 amended—

10           (1) in subsection (b)—

11                   (A) in paragraph (2)—

12                           (i) in the matter preceding subpara-  
 13                           graph (A), by striking “4” and inserting  
 14                           “5”;

15                           (ii) by striking subparagraph (A); and

16                           (iii) by redesignating subparagraphs  
 17                           (B) and (C) as subparagraphs (A) and (B),  
 18                           respectively; and

19                   (B) by striking paragraph (3) and inserting  
 20                   the following:

21                   “(3) *MINIMUM GRANTS.*—Unless the institution  
 22                   or agency requests a smaller amount, an individual  
 23                   grant authorized under this chapter shall be awarded  
 24                   in an amount that is not less than \$200,000, except  
 25                   that an individual grant authorized under section

1       402G shall be awarded in an amount that is not less  
2       than \$170,000.”;

3       (2) in subsection (c)—

4               (A) in paragraph (2), by striking “service  
5       delivery” and inserting “high quality service de-  
6       livery, as determined under subsection (f),”;

7               (B) in paragraph (3)(B), by striking “is  
8       not required to” and inserting “shall not”; and

9               (C) in paragraph (5), by striking “cam-  
10      puses” and inserting “different campuses”;

11      (3) in subsection (e), by striking “(g)(2)” each  
12      place the term occurs and inserting “(h)(4)”;

13      (4) by redesignating subsections (f) and (g) as  
14      subsections (g) and (h), respectively;

15      (5) by inserting after subsection (e) the following:

16      “(f) *OUTCOME CRITERIA.*—

17               “(1) *USE FOR PRIOR EXPERIENCE DETERMINA-*  
18      *TION.*—The Secretary shall use the outcome criteria  
19      described in paragraphs (2) and (3) to evaluate the  
20      programs provided by a recipient of a grant under  
21      this chapter, and the Secretary shall determine an eli-  
22      gible entity’s prior experience of high quality service  
23      delivery, as required under subsection (c)(2), based on  
24      the outcome criteria.

1           “(2) *DISAGGREGATION OF RELEVANT DATA.*—

2           *The outcome criteria under this subsection shall be*  
 3           *disaggregated by low-income students, first generation*  
 4           *college students, and individuals with disabilities, in*  
 5           *the schools and institutions of higher education served*  
 6           *by the program to be evaluated.*

7           “(3) *CONTENTS OF OUTCOME CRITERIA.*—*The*  
 8           *outcome criteria under this subsection shall measure,*  
 9           *annually and for longer periods, the quality and ef-*  
 10           *fectiveness of programs authorized under this chapter*  
 11           *and shall include the following:*

12                   “(A) *For programs authorized under section*  
 13                   *402B, the extent to which the eligible entity met*  
 14                   *or exceeded the entity’s objectives established in*  
 15                   *the entity’s application for such program regard-*  
 16                   *ing—*

17                           “(i) *the delivery of service to a total*  
 18                           *number of students served by the program;*

19                           “(ii) *the continued secondary school*  
 20                           *enrollment of such students;*

21                           “(iii) *the graduation of such students*  
 22                           *from secondary school;*

23                           “(iv) *the enrollment of such students in*  
 24                           *an institution of higher education; and*

1                   “(v) to the extent practicable, the post-  
2                   secondary education completion of such stu-  
3                   dents.

4                   “(B) For programs authorized under section  
5                   402C, the extent to which the eligible entity met  
6                   or exceeded the entity’s objectives for such pro-  
7                   gram regarding—

8                   “(i) the delivery of service to a total  
9                   number of students served by the program,  
10                  as agreed upon by the entity and the Sec-  
11                  retary for the period;

12                  “(ii) such students’ school performance,  
13                  as measured by the grade point average, or  
14                  its equivalent;

15                  “(iii) such students’ academic perform-  
16                  ance, as measured by standardized tests, in-  
17                  cluding tests required by the students’ State;

18                  “(iv) the retention in, and graduation  
19                  from, secondary school of such students; and

20                  “(v) the enrollment of such students in  
21                  an institution of higher education.

22                  “(C) For programs authorized under section  
23                  402D—

24                  “(i) the extent to which the eligible en-  
25                  tity met or exceeded the entity’s objectives

1           *regarding the retention in postsecondary*  
2           *education of the students served by the pro-*  
3           *gram;*

4           “(ii)(I) *in the case of an entity that is*  
5           *an institution of higher education offering a*  
6           *baccalaureate degree, the extent to which the*  
7           *entity met or exceeded the entity’s objectives*  
8           *regarding such students’ completion of the*  
9           *degree programs in which such students*  
10          *were enrolled; or*

11          “(II) *in the case of an entity that is an*  
12          *institution of higher education that does not*  
13          *offer a baccalaureate degree, the extent to*  
14          *which the entity met or exceeded the entity’s*  
15          *objectives regarding—*

16               “(aa) *the completion of a degree*  
17               *or certificate by such students; and*

18               “(bb) *the transfer of such students*  
19               *to institutions of higher education that*  
20               *offer baccalaureate degrees;*

21               “(iii) *the extent to which the entity*  
22               *met or exceeded the entity’s objectives re-*  
23               *garding the delivery of service to a total*  
24               *number of students, as agreed upon by the*  
25               *entity and the Secretary for the period; and*



1                   “(iv) the extent to which the entity met  
2                   or exceeded the entity’s objectives regarding  
3                   such students remaining in good academic  
4                   standing.

5                   “(D) For programs authorized under sec-  
6                   tion 402E, the extent to which the entity met or  
7                   exceeded the entity’s objectives for such program  
8                   regarding—

9                   “(i) the delivery of service to a total  
10                  number of students, as agreed upon by the  
11                  entity and the Secretary for the period;

12                  “(ii) the provision of appropriate  
13                  scholarly and research activities for the stu-  
14                  dents served by the program;

15                  “(iii) the acceptance and enrollment of  
16                  such students in graduate programs; and

17                  “(iv) the continued enrollment of such  
18                  students in graduate study and the attain-  
19                  ment of doctoral degrees by former program  
20                  participants.

21                  “(E) For programs authorized under section  
22                  402F, the extent to which the entity met or ex-  
23                  ceeded the entity’s objectives for such program re-  
24                  garding—

1           “(i) the enrollment of students without  
2           a secondary school diploma or its recognized  
3           equivalent, who were served by the program,  
4           in programs leading to such diploma or  
5           equivalent;

6           “(ii) the enrollment of secondary school  
7           graduates who were served by the program  
8           in programs of postsecondary education;

9           “(iii) the delivery of service to a total  
10          number of students, as agreed upon by the  
11          entity and the Secretary for the period; and

12          “(iv) the provision of assistance to stu-  
13          dents served by the program in completing  
14          financial aid applications and college ad-  
15          mission applications.

16          “(4) *MEASUREMENT OF PROGRESS.*—In order to  
17          determine the extent to which an outcome criterion  
18          described in paragraphs (2) or (3) is met or exceeded,  
19          an eligible entity receiving assistance under this  
20          chapter shall compare the eligible entity’s target for  
21          the criterion, as established in the eligible entity’s ap-  
22          plication, with the results for the criterion, measured  
23          as of the last day of the applicable time period for the  
24          determination.”;

1           (6) in subsection (g) (as redesignated by para-  
2 graph (4))—

3           (A) in the first sentence, by striking  
4           “\$700,000,000 for fiscal year 1999” and all that  
5           follows through the period and inserting “such  
6           sums as may be necessary for fiscal year 2008  
7           and each of the 5 succeeding fiscal years.”; and

8           (B) by striking the fourth sentence; and

9           (7) in subsection (h) (as redesignated by para-  
10 graph (4))—

11           (A) by redesignating paragraphs (1)  
12           through (4) as paragraphs (3) through (6), re-  
13           spectively;

14           (B) by inserting before paragraph (3) (as  
15           redesignated by subparagraph (A)) the following:

16           “(1) *DIFFERENT CAMPUS.*—The term ‘different  
17           campus’ means a site of an institution of higher edu-  
18           cation that—

19           “(A) is geographically apart from the main  
20           campus of the institution;

21           “(B) is permanent in nature; and

22           “(C) offers courses in educational programs  
23           leading to a degree, certificate, or other recog-  
24           nized educational credential.

1           “(2) *DIFFERENT POPULATION.*—The term ‘dif-  
 2       ferent population’ means a group of individuals, with  
 3       respect to whom an eligible entity desires to serve  
 4       through an application for a grant under this chap-  
 5       ter, that—

6           “(A) is separate and distinct from any  
 7       other population that the entity has applied for  
 8       a grant under this chapter to serve; or

9           “(B) while sharing some of the same needs  
 10      as another population that the eligible entity has  
 11      applied for a grant under this chapter to serve,  
 12      has distinct needs for specialized services.”;

13          (C) in paragraph (5) (as redesignated by  
 14      subparagraph (A))—

15           (i) in subparagraph (A), by striking  
 16      “or” after the semicolon;

17           (ii) in subparagraph (B), by striking  
 18      the period at the end and inserting “; or”;  
 19      and

20           (iii) by adding at the end the fol-  
 21      lowing:

22           “(C) was a member of a reserve component  
 23      of the Armed Forces called to active duty for a  
 24      period of more than 180 days.”; and

1           (D) in paragraph (6), by striking “sub-  
 2           paragraph (A) or (B) of paragraph (3)” and in-  
 3           serting “subparagraph (A), (B), or (C) of para-  
 4           graph (5)”.

5           (b) *TALENT SEARCH*.—Section 402B (20 U.S.C.  
 6 1070a-12) is amended—

7           (1) in subsection (a)—

8           (A) in paragraph (1), by striking “to iden-  
 9           tify qualified youths with potential for education  
 10          at the postsecondary level and to encourage such  
 11          youths” and inserting “to encourage eligible  
 12          youths”;

13          (B) in paragraph (2), by inserting “, and  
 14          facilitate the application for,” after “the avail-  
 15          ability of”; and

16          (C) in paragraph (3), by striking “, but  
 17          who have the ability to complete such programs,  
 18          to reenter” and inserting “to enter or reenter,  
 19          and complete”;

20          (2) by redesignating subsection (c) as subsection  
 21          (d);

22          (3) by striking subsection (b) and inserting the  
 23          following:

24          “(b) *REQUIRED SERVICES*.—Any project assisted  
 25          under this section shall provide—

1           “(1) *academic tutoring, or connections to high*  
 2           *quality academic tutoring services, to enable students*  
 3           *to complete secondary or postsecondary courses, which*  
 4           *may include instruction in reading, writing, study*  
 5           *skills, mathematics, science, and other subjects;*

6           “(2) *advice and assistance in secondary course*  
 7           *selection and, if applicable, initial postsecondary*  
 8           *course selection;*

9           “(3) *assistance in preparing for college entrance*  
 10          *examinations and completing college admission appli-*  
 11          *cations;*

12          “(4)(A) *information on both the full range of*  
 13          *Federal student financial aid programs (including*  
 14          *Federal Pell Grant awards and loan forgiveness) and*  
 15          *resources for locating public and private scholarships;*  
 16          *and*

17          “(B) *assistance in completing financial aid ap-*  
 18          *plications, including the Free Application for Federal*  
 19          *Student Aid described in section 483(a);*

20          “(5) *guidance on and assistance in—*

21                 “(A) *secondary school reentry;*

22                 “(B) *alternative education programs for sec-*  
 23                 *ondary school dropouts that lead to the receipt of*  
 24                 *a regular secondary school diploma;*

1                   “(C) entry into general educational develop-  
2                   ment (GED) programs; or

3                   “(D) postsecondary education; and

4                   “(6) education or counseling services designed to  
5                   improve the financial literacy and economic literacy  
6                   of students or the students’ parents, including finan-  
7                   cial planning for postsecondary education.

8                   “(c) *PERMISSIBLE SERVICES*.—Any project assisted  
9                   under this section may provide services such as—

10                  “(1) personal and career counseling or activities;

11                  “(2) information and activities designed to ac-  
12                  quaint youths with the range of career options avail-  
13                  able to the youths;

14                  “(3) exposure to the campuses of institutions of  
15                  higher education, as well as cultural events, academic  
16                  programs, and other sites or activities not usually  
17                  available to disadvantaged youth;

18                  “(4) workshops and counseling for families of  
19                  students served;

20                  “(5) mentoring programs involving elementary  
21                  or secondary school teachers or counselors, faculty  
22                  members at institutions of higher education, students,  
23                  or any combination of such persons; and

24                  “(6) programs and activities as described in sub-  
25                  section (b) or paragraphs (1) through (5) of this sub-

1      *section that are specially designed for students who*  
 2      *are limited English proficient, students with disabil-*  
 3      *ities, students who are homeless children and youths*  
 4      *(as such term is defined in section 725 of the McKin-*  
 5      *ney-Vento Homeless Assistance Act (42 U.S.C.*  
 6      *11434a)), or students who are in foster care or are*  
 7      *aging out of the foster care system.”; and*

8            *(4) in the matter preceding paragraph (1) of*  
 9      *subsection (d) (as redesignated by paragraph (2)), by*  
 10     *striking “talent search projects under this chapter”*  
 11     *and inserting “projects under this section”.*

12     *(c) UPWARD BOUND.—Section 402C (20 U.S.C.*  
 13     *1070a–13) is amended—*

14            *(1) by striking subsection (b) and inserting the*  
 15     *following:*

16     *“(b) REQUIRED SERVICES.—Any project assisted*  
 17     *under this section shall provide—*

18            *“(1) academic tutoring to enable students to*  
 19     *complete secondary or postsecondary courses, which*  
 20     *may include instruction in reading, writing, study*  
 21     *skills, mathematics, science, and other subjects;*

22            *“(2) advice and assistance in secondary and*  
 23     *postsecondary course selection;*



1           “(3) assistance in preparing for college entrance  
2           examinations and completing college admission appli-  
3           cations;

4           “(4)(A) information on both the full range of  
5           Federal student financial aid programs (including  
6           Federal Pell Grant awards and loan forgiveness) and  
7           resources for locating public and private scholarships;  
8           and

9           “(B) assistance in completing financial aid ap-  
10          plications, including the Free Application for Federal  
11          Student Aid described in section 483(a);

12          “(5) guidance on and assistance in—

13               “(A) secondary school reentry;

14               “(B) alternative education programs for sec-  
15          ondary school dropouts that lead to the receipt of  
16          a regular secondary school diploma;

17               “(C) entry into general educational develop-  
18          ment (GED) programs; or

19               “(D) postsecondary education; and

20          “(6) education or counseling services designed to  
21          improve the financial literacy and economic literacy  
22          of students or the students’ parents, including finan-  
23          cial planning for postsecondary education.”;

24          (2) in subsection (c)—

1           (A) in the subsection heading, by striking  
 2           “REQUIRED SERVICES” and inserting “ADDI-  
 3           TIONAL REQUIRED SERVICES FOR MULTIPLE-  
 4           YEAR GRANT RECIPIENTS”; and

5           (B) by striking “upward bound project as-  
 6           sisted under this chapter” and inserting “project  
 7           assisted under this section”;

8           (3) by redesignating subsections (d) and (e) as  
 9           subsection (f) and (g), respectively;

10          (4) by inserting after subsection (c) the fol-  
 11          lowing:

12          “(d) *PERMISSIBLE SERVICES*.—Any project assisted  
 13          under this section may provide such services as—

14               “(1) exposure to cultural events, academic pro-  
 15               grams, and other activities not usually available to  
 16               disadvantaged youth;

17               “(2) information, activities and instruction de-  
 18               signed to acquaint youths participating in the project  
 19               with the range of career options available to the  
 20               youths;

21               “(3) on-campus residential programs;

22               “(4) mentoring programs involving elementary  
 23               school or secondary school teachers or counselors, fac-  
 24               ulty members at institutions of higher education, stu-  
 25               dents, or any combination of such persons;

1           “(5) *work-study positions where youth partici-*  
 2           *pating in the project are exposed to careers requiring*  
 3           *a postsecondary degree;*

4           “(6) *special services to enable veterans to make*  
 5           *the transition to postsecondary education; and*

6           “(7) *programs and activities as described in sub-*  
 7           *section (b), subsection (c), or paragraphs (1) through*  
 8           *(6) of this subsection that are specially designed for*  
 9           *students who are limited English proficient, students*  
 10          *with disabilities, students who are homeless children*  
 11          *and youths (as such term is defined in section 725 of*  
 12          *the McKinney-Vento Homeless Assistance Act (42*  
 13          *U.S.C. 11434a)), or students who are in foster care or*  
 14          *are aging out of the foster care system.*

15          “(e) *PRIORITY.—In providing assistance under this*  
 16          *section the Secretary—*

17               “(1) *shall give priority to projects assisted under*  
 18               *this section that select not less than 30 percent of all*  
 19               *first-time participants in the projects from students*  
 20               *who have a high academic risk for failure; and*

21               “(2) *shall not deny participation in a project as-*  
 22               *sisted under this section to a student because the stu-*  
 23               *dent will enter the project after the 9th grade.”;*

24               “(5) *in the matter preceding paragraph (1) of*  
 25               *subsection (f) (as redesignated by paragraph (3)), by*

1        *striking “upward bound projects under this chapter”*  
 2        *and inserting “projects under this section”; and*

3                *(6) in subsection (g) (as redesignated by para-*  
 4        *graph (3))—*

5                *(A) by striking “during June, July, and*  
 6        *August” each place the term occurs and inserting*  
 7        *“during the summer school recess, for a period*  
 8        *not to exceed 3 months”; and*

9                *(B) by striking “(b)(10)” and inserting*  
 10        *“(d)(5)”.*

11        *(d) STUDENT SUPPORT SERVICES.—Section 402D (20*  
 12        *U.S.C. 1070a–14) is amended—*

13                *(1) in subsection (a)—*

14                *(A) in paragraph (2), by striking “and”*  
 15        *after the semicolon;*

16                *(B) by striking paragraph (3) and inserting*  
 17        *the following:*

18                *“(3) to foster an institutional climate supportive*  
 19        *of the success of low-income and first generation col-*  
 20        *lege students, students with disabilities, students who*  
 21        *are limited English proficient, students who are*  
 22        *homeless children and youths (as such term is defined*  
 23        *in section 725 of the McKinney-Vento Homeless As-*  
 24        *sistance Act (42 U.S.C. 11434a)), and students who*

1       *are in foster care or are aging out of the foster care*  
 2       *system.”; and*

3               *(C) by adding at the end the following:*

4               *“(4) to improve the financial literacy and eco-*  
 5       *nomic literacy of students, including—*

6               *“(A) basic personal income, household*  
 7               *money management, and financial planning*  
 8               *skills; and*

9               *“(B) basic economic decisionmaking skills.”;*

10              *(2) by redesignating subsections (c) and (d) as*  
 11       *subsections (d) and (e);*

12              *(3) by striking subsection (b) and inserting the*  
 13       *following:*

14       *“(b) REQUIRED SERVICES.—A project assisted under*  
 15       *this section shall provide—*

16              *“(1) academic tutoring to enable students to*  
 17       *complete postsecondary courses, which may include*  
 18       *instruction in reading, writing, study skills, mathe-*  
 19       *matics, science, and other subjects;*

20              *“(2) advice and assistance in postsecondary*  
 21       *course selection;*

22              *“(3)(A) information on both the full range of*  
 23       *Federal student financial aid programs (including*  
 24       *Federal Pell Grant awards and loan forgiveness) and*

1        *resources for locating public and private scholarships;*  
2        *and*

3                *“(B) assistance in completing financial aid ap-*  
4        *plications, including the Free Application for Federal*  
5        *Student Aid described in section 483(a);*

6                *“(4) education or counseling services designed to*  
7        *improve the financial literacy and economic literacy*  
8        *of students, including financial planning for postsec-*  
9        *ondary education;*

10               *“(5) activities designed to assist students partici-*  
11        *pating in the project in securing college admission*  
12        *and financial assistance for enrollment in graduate*  
13        *and professional programs; and*

14               *“(6) activities designed to assist students enrolled*  
15        *in 2-year institutions of higher education in securing*  
16        *admission and financial assistance for enrollment in*  
17        *a 4-year program of postsecondary education.*

18        *“(c) PERMISSIBLE SERVICES.—A project assisted*  
19        *under this section may provide services such as—*

20               *“(1) consistent, individualized personal, career,*  
21        *and academic counseling, provided by assigned coun-*  
22        *selors;*

23               *“(2) information, activities, and instruction de-*  
24        *signed to acquaint youths participating in the project*

1       *with the range of career options available to the stu-*  
 2       *dents;*

3               “(3) *exposure to cultural events and academic*  
 4       *programs not usually available to disadvantaged stu-*  
 5       *dents;*

6               “(4) *activities designed to acquaint students par-*  
 7       *ticipating in the project with the range of career op-*  
 8       *tions available to the students;*

9               “(5) *mentoring programs involving faculty or*  
 10       *upper class students, or a combination thereof;*

11               “(6) *securing temporary housing during breaks*  
 12       *in the academic year for students who are homeless*  
 13       *children and youths (as such term is defined in sec-*  
 14       *tion 725 of the McKinney-Vento Homeless Assistance*  
 15       *Act (42 U.S.C. 11434a)) or were formerly homeless*  
 16       *children and youths and students who are in foster*  
 17       *care or are aging out of the foster care system; and*

18               “(7) *programs and activities as described in sub-*  
 19       *section (b) or paragraphs (1) through (5) of this sub-*  
 20       *section that are specially designed for students who*  
 21       *are limited English proficient, students with disabil-*  
 22       *ities, students who are homeless children and youths*  
 23       *(as such term is defined in section 725 of the McKin-*  
 24       *ney-Vento Homeless Assistance Act (42 U.S.C.*  
 25       *11434a)) or were formerly homeless children and*

1        *youths, or students who are in foster care or are*  
 2        *aging out of the foster care system.”;*

3            (4) *in subsection (d)(1) (as redesignated by*  
 4        *paragraph (2)), by striking “subsection (b)” and in-*  
 5        *serting “subsection (c)”;* and

6            (5) *in the matter preceding paragraph (1) of*  
 7        *subsection (e) (as redesignated by paragraph (2)), by*  
 8        *striking “student support services projects under this*  
 9        *chapter” and inserting “projects under this section”.*

10        (e) *POSTBACCALAUREATE ACHIEVEMENT PROGRAM*  
 11        *AUTHORITY.—Section 402E (20 U.S.C. 1070a–15) is*  
 12        *amended—*

13            (1) *in subsection (b)—*

14            (A) *in the subsection heading, by inserting*  
 15        *“REQUIRED” before “SERVICES”;*

16            (B) *in the matter preceding paragraph (1),*  
 17        *by striking “A postbaccalaureate achievement*  
 18        *project assisted under this section may provide*  
 19        *services such as—” and inserting “A project as-*  
 20        *sisted under this section shall provide—”;*

21            (C) *in paragraph (5), by inserting “and”*  
 22        *after the semicolon;*

23            (D) *in paragraph (6), by striking the semi-*  
 24        *colon and inserting a period; and*

25            (E) *by striking paragraphs (7) and (8);*



1           (2) *by redesignating subsections (c) through (f)*  
 2           *as subsections (d) through (g), respectively;*

3           (3) *by inserting after subsection (b) the fol-*  
 4           *lowing:*

5           “(c) *PERMISSIBLE SERVICES.*—A project assisted  
 6 *under this section may provide services such as—*

7           “(1) *education or counseling services designed to*  
 8           *improve the financial literacy and economic literacy*  
 9           *of students, including financial planning for postsec-*  
 10           *ondary education;*

11           “(2) *mentoring programs involving faculty mem-*  
 12           *bers at institutions of higher education, students, or*  
 13           *any combination of such persons; and*

14           “(3) *exposure to cultural events and academic*  
 15           *programs not usually available to disadvantaged stu-*  
 16           *dents.”;*

17           (4) *in the matter preceding paragraph (1) of*  
 18           *subsection (d) (as redesignated by paragraph (2)), by*  
 19           *striking “postbaccalaureate achievement”;*

20           (5) *in the matter preceding paragraph (1) of*  
 21           *subsection (f) (as redesignated by paragraph (2)), by*  
 22           *striking “postbaccalaureate achievement project” and*  
 23           *inserting “project under this section”; and*

24           (6) *in subsection (g) (as redesignated by para-*  
 25           *graph (2))—*

1                   (A) by striking “402A(f)” and inserting  
2                   “402A(g)”; and

3                   (B) by striking “1993 through 1997” and  
4                   inserting “2007 through 2012”.

5           (f) *EDUCATIONAL OPPORTUNITY CENTERS*.—Section  
6   402F (20 U.S.C. 1070a–16) is amended—

7                   (1) in subsection (a)—

8                   (A) in paragraph (1), by striking “and”  
9                   after the semicolon;

10                  (B) in paragraph (2), by striking the period  
11                  at the end and inserting “; and”; and

12                  (C) by adding at the end the following:

13                   “(3) to improve the financial literacy and eco-  
14                   nomic literacy of students, including—

15                   “(A) basic personal income, household  
16                   money management, and financial planning  
17                   skills; and

18                   “(B) basic economic decisionmaking skills.”;  
19                   and

20                  (2) in subsection (b)—

21                   (A) by redesignating paragraphs (5)  
22                   through (10) as paragraphs (6) through (11), re-  
23                   spectively;

24                   (B) by inserting after paragraph (4) the fol-  
25                   lowing:

1           “(5) education or counseling services designed to  
2           improve the financial literacy and economic literacy  
3           of students;”;

4           (C) by striking paragraph (7) (as redesign-  
5           ated by subparagraph (A)) and inserting the  
6           following:

7           “(7) individualized personal, career, and aca-  
8           demic counseling;”; and

9           (D) by striking paragraph (11) (as redesign-  
10          ated by subparagraph (A)) and inserting the  
11          following:

12          “(11) programs and activities as described in  
13          paragraphs (1) through (10) that are specially de-  
14          signed for students who are limited English pro-  
15          ficient, students with disabilities, or students who are  
16          homeless children and youths (as such term is defined  
17          in section 725 of the McKinney-Vento Homeless As-  
18          sistance Act (42 U.S.C. 11434a)), or programs and  
19          activities for students who are in foster care or are  
20          aging out of the foster care system.”.

21          (g) *STAFF DEVELOPMENT ACTIVITIES*.—Section  
22          402G(b)(3) (20 U.S.C. 1070a–17(b)(3)) is amended by in-  
23          serting “, including strategies for recruiting and serving  
24          students who are homeless children and youths (as such  
25          term is defined in section 725 of the McKinney-Vento

1 *Homeless Assistance Act (42 U.S.C. 11434a)) and students*  
 2 *who are in foster care or are aging out of the foster care*  
 3 *system” before the period at the end.*

4 *(h) REPORTS, EVALUATIONS, AND GRANTS FOR*  
 5 *PROJECT IMPROVEMENT AND DISSEMINATION.—Section*  
 6 *402H (20 U.S.C. 1070a–18) is amended—*

7 *(1) by striking the section heading and inserting*  
 8 *“REPORTS, EVALUATIONS, AND GRANTS FOR*  
 9 *PROJECT IMPROVEMENT AND DISSEMINA-*  
 10 *TION.”;*

11 *(2) by redesignating subsections (a) through (c)*  
 12 *as subsections (b) through (d), respectively;*

13 *(3) by inserting before subsection (b) (as redesign-*  
 14 *ated by paragraph (2)) the following:*

15 *“(a) REPORTS TO THE AUTHORIZING COMMITTEES.—*  
 16 *The Secretary shall submit annually, to the authorizing*  
 17 *committees, a report that documents the performance of all*  
 18 *programs funded under this chapter. The report shall—*

19 *“(1) be submitted not later than 24 months after*  
 20 *the eligible entities receiving funds under this chapter*  
 21 *are required to report their performance to the Sec-*  
 22 *retary;*

23 *“(2) focus on the programs’ performance on the*  
 24 *relevant outcome criteria determined under section*  
 25 *402A(f)(4);*

1           “(3) aggregate individual project performance  
2           data on the outcome criteria in order to provide na-  
3           tional performance data for each program;

4           “(4) include, when appropriate, descriptive data,  
5           multi-year data, and multi-cohort data; and

6           “(5) include comparable data on the performance  
7           nationally of low-income students, first-generation  
8           students, and students with disabilities.”; and

9           (4) in subsection (b) (as redesignated by para-  
10          graph (2)), by striking paragraph (2) and inserting  
11          the following:

12          “(2) PRACTICES.—

13               “(A) IN GENERAL.—The evaluations de-  
14               scribed in paragraph (1) shall identify institu-  
15               tional, community, and program or project prac-  
16               tices that are particularly effective in—

17                       “(i) enhancing the access of low-income  
18                       individuals and first-generation college stu-  
19                       dents to postsecondary education;

20                       “(ii) the preparation of the individuals  
21                       and students for postsecondary education;  
22                       and

23                       “(iii) fostering the success of the indi-  
24                       viduals and students in postsecondary edu-  
25                       cation.

1           “(B) *PRIMARY PURPOSE.*—Any evaluation  
 2           conducted under this chapter shall have as its  
 3           primary purpose the identification of particular  
 4           practices that further the achievement of the out-  
 5           come criteria determined under section  
 6           402A(f)(4).

7           “(C) *DISSEMINATION AND USE OF EVALUA-*  
 8           *TION FINDINGS.*—The Secretary shall dissemi-  
 9           nate to eligible entities and make available to the  
 10          public the practices identified under subpara-  
 11          graph (B). The practices may be used by eligible  
 12          entities that receive assistance under this chapter  
 13          after the dissemination.

14          “(3) *RECRUITMENT.*—The Secretary shall not re-  
 15          quire an eligible entity desiring to receive assistance  
 16          under this chapter to recruit students to serve as a  
 17          control group for purposes of evaluating any program  
 18          or project assisted under this chapter.”.

19 **SEC. 404. GAINING EARLY AWARENESS AND READINESS**  
 20 **FOR UNDERGRADUATE PROGRAMS.**

21          (a) *EARLY INTERVENTION AND COLLEGE AWARENESS*  
 22 *PROGRAM AUTHORIZED.*—Section 404A (20 U.S.C. 1070a–  
 23 21) is amended—

24               (1) by striking subsection (a) and inserting the  
 25               following:

1       “(a) *PROGRAM AUTHORIZED.*—*The Secretary is au-*  
 2 *thorized, in accordance with the requirements of this chap-*  
 3 *ter, to establish a program that encourages eligible entities*  
 4 *to provide support to eligible low-income students to assist*  
 5 *the students in obtaining a secondary school diploma (or*  
 6 *its recognized equivalent) and to prepare for and succeed*  
 7 *in postsecondary education, by providing—*

8               “(1) *financial assistance, academic support, ad-*  
 9 *ditional counseling, mentoring, outreach, and sup-*  
 10 *portive services to middle school and secondary school*  
 11 *students to reduce—*

12               “(A) *the risk of such students dropping out*  
 13 *of school; or*

14               “(B) *the need for remedial education for*  
 15 *such students at the postsecondary level; and*

16               “(2) *information to students and their parents*  
 17 *about the advantages of obtaining a postsecondary*  
 18 *education and the college financing options for the*  
 19 *students and their parents.”;*

20               “(2) *by striking subsection (b)(2)(A) and inserting*  
 21 *the following:*

22               “(A) *give priority to eligible entities that*  
 23 *have a prior, demonstrated commitment to early*  
 24 *intervention leading to college access through col-*

1           *laboration and replication of successful strate-*  
 2           *gies;”;* and

3           *(3) by striking subsection (c)(2) and inserting*  
 4           *the following:*

5           “(2) a partnership—

6           “(A) consisting of—

7           “(i) 1 or more local educational agen-

8           *cies; and*

9           “(ii) 1 or more degree granting institu-

10           *tions of higher education; and*

11           “(B) which may include not less than 2

12           *other community organizations or entities, such*

13           *as businesses, professional organizations, State*

14           *agencies, institutions or agencies sponsoring pro-*

15           *grams authorized under subpart 4, or other pub-*

16           *lic or private agencies or organizations.”.*

17           **(b) REQUIREMENTS.**—Section 404B (20 U.S.C.

18           *1070a-22) is amended—*

19           *(1) by striking subsection (a) and inserting the*

20           *following: —*

21           “(a) **FUNDING RULES.**—

22           “(1) **DISTRIBUTION.**—*In awarding grants from*

23           *the amount appropriated under section 404G for a*

24           *fiscal year, the Secretary shall take into consider-*

25           *ation—*



1           “(A) the geographic distribution of such  
2           awards; and

3           “(B) the distribution of such awards be-  
4           tween urban and rural applicants.

5           “(2) *SPECIAL RULE.*—The Secretary shall annu-  
6           ally reevaluate the distribution of funds described in  
7           paragraph (1) based on number, quality, and promise  
8           of the applications.”;

9           (2) by striking subsections (b), (e), and (f);

10          (3) by redesignating subsections (c), (d), and (g)  
11          as subsections (b), (c), and (d), respectively; and

12          (4) by adding at the end the following:

13          “(e) *SUPPLEMENT, NOT SUPPLANT.*—Grant funds  
14          awarded under this chapter shall be used to supplement,  
15          and not supplant, other Federal, State, and local funds that  
16          would otherwise be expended to carry out activities assisted  
17          under this chapter.”.

18          (c) *APPLICATION.*—Section 404C (20 U.S.C. 1070a–  
19          23) is amended—

20          (1) in the section heading, by striking “**ELIGI-**  
21          **BLE ENTITY PLANS**” and inserting “**APPLICA-**  
22          **TIONS**”;

23          (2) in subsection (a)—

24                  (A) in the subsection heading, by striking  
25                  “PLAN” and inserting “APPLICATION”;

1                   (B) in paragraph (1)—

2                   (i) by striking “a plan” and inserting

3                   “an application”; and

4                   (ii) by striking the second sentence;

5                   and

6                   (C) by striking paragraph (2) and inserting

7                   the following:

8                   “(2) CONTENTS.—Each application submitted  
9                   pursuant to paragraph (1) shall be in such form, con-  
10                  tain or be accompanied by such information or assur-  
11                  ances, and be submitted at such time as the Secretary  
12                  may require. Each such application shall, at a min-  
13                  imum—

14                  “(A) describe the activities for which assist-  
15                  ance under this chapter is sought, including how  
16                  the eligible entity will carry out the required ac-  
17                  tivities described in section 404D(a);

18                  “(B) describe how the eligible agency will  
19                  meet the requirements of section 404E;

20                  “(C) provide assurances that adequate ad-  
21                  ministrative and support staff will be responsible  
22                  for coordinating the activities described in sec-  
23                  tion 404D;

24                  “(D) ensure that activities assisted under  
25                  this chapter will not displace an employee or

1       *eliminate a position at a school assisted under*  
2       *this chapter, including a partial displacement*  
3       *such as a reduction in hours, wages or employ-*  
4       *ment benefits;*

5               “(E) describe, in the case of an eligible enti-  
6       *ty described in section 404A(c)(2), how the eligi-*  
7       *ble entity will define the cohorts of the students*  
8       *served by the eligible entity pursuant to section*  
9       *404B(d), and how the eligible entity will serve*  
10       *the cohorts through grade 12, including—*

11               “(i) how vacancies in the program  
12       *under this chapter will be filled; and*

13               “(ii) how the eligible entity will serve  
14       *students attending different secondary*  
15       *schools;*

16               “(F) describe how the eligible entity will co-  
17       *ordinate programs with other existing Federal,*  
18       *State, or local programs to avoid duplication*  
19       *and maximize the number of students served;*

20               “(G) provide such additional assurances as  
21       *the Secretary determines necessary to ensure*  
22       *compliance with the requirements of this chapter;*  
23       *and*

24               “(H) provide information about the activi-  
25       *ties that will be carried out by the eligible entity*

1           to support systemic changes from which future  
2           cohorts of students will benefit.”;

3           (3) in the matter preceding subparagraph (A) of  
4           subsection (b)(1)—

5                   (A) by striking “a plan” and inserting “an  
6                   application”; and

7                   (B) by striking “such plan” and inserting  
8                   “such application”; and

9           (4) in subsection (c)(1), by striking the semicolon  
10          at the end and inserting “including—

11                   “(A) the amount contributed to a student  
12                   scholarship fund established under section 404E;  
13                   and

14                   “(B) the amount of the costs of admin-  
15                   istering the scholarship program under section  
16                   404E;”.

17          (d) *ACTIVITIES.*—Section 404D (20 U.S.C. 1070a–24)  
18          is amended to read as follows:

19          **“SEC. 404D. ACTIVITIES.**

20               “(a) *REQUIRED ACTIVITIES.*—Each eligible entity re-  
21               ceiving a grant under this chapter shall carry out the fol-  
22               lowing:

23                   “(1) Provide information regarding financial  
24                   aid for postsecondary education to participating stu-

1        *dents in the cohort described in subsection*  
 2        *404B(d)(1)(A).*

3                *“(2) Encourage student enrollment in rigorous*  
 4        *and challenging curricula and coursework, in order to*  
 5        *reduce the need for remedial coursework at the post-*  
 6        *secondary level.*

7                *“(3) Support activities designed to improve the*  
 8        *number of participating students who—*

9                        *“(A) obtain a secondary school diploma;*  
 10                      *and*

11                      *“(B) complete applications for and enroll in*  
 12                      *a program of postsecondary education.*

13                *“(4) In the case of an eligible entity described in*  
 14        *section 404A(c)(1), provide for the scholarships de-*  
 15        *scribed in section 404E.*

16        *“(b) OPTIONAL ACTIVITIES FOR STATES AND PART-*  
 17        *NERSHIPS.—An eligible entity that receives a grant under*  
 18        *this chapter may use grant funds to carry out 1 or more*  
 19        *of the following activities:*

20                *“(1) Providing tutoring and supporting mentors,*  
 21        *including adults or former participants of a program*  
 22        *under this chapter, for eligible students.*

23                *“(2) Conducting outreach activities to recruit*  
 24        *priority students described in subsection (d) to par-*  
 25        *ticipate in program activities.*

1           “(3) *Providing supportive services to eligible stu-*  
2           *dents.*

3           “(4) *Supporting the development or implementa-*  
4           *tion of rigorous academic curricula, which may in-*  
5           *clude college preparatory, Advanced Placement, or*  
6           *International Baccalaureate programs, and providing*  
7           *participating students access to rigorous core courses*  
8           *that reflect challenging State academic standards.*

9           “(5) *Supporting dual or concurrent enrollment*  
10          *programs between the secondary school and institu-*  
11          *tion of higher education partners of an eligible entity*  
12          *described in section 404A(c)(2), and other activities*  
13          *that support participating students in—*

14               “(A) *meeting challenging academic stand-*  
15               *ards;*

16               “(B) *successfully applying for postsecondary*  
17               *education;*

18               “(C) *successfully applying for student fi-*  
19               *nancial aid; and*

20               “(D) *developing graduation and career*  
21               *plans.*

22          “(6) *Providing support for scholarships described*  
23          *in section 404E.*

1           “(7) *Introducing eligible students to institutions*  
 2           *of higher education, through trips and school-based*  
 3           *sessions.*

4           “(8) *Providing an intensive extended school day,*  
 5           *school year, or summer program that offers—*

6                   “(A) *additional academic classes; or*

7                   “(B) *assistance with college admission ap-*  
 8                   *plications.*

9           “(9) *Providing other activities designed to ensure*  
 10           *secondary school completion and postsecondary edu-*  
 11           *cation enrollment of at-risk children, such as—*

12                   “(A) *the identification of at-risk children;*

13                   “(B) *after-school and summer tutoring;*

14                   “(C) *assistance to at-risk children in ob-*  
 15                   *taining summer jobs;*

16                   “(D) *academic counseling;*

17                   “(E) *volunteer and parent involvement;*

18                   “(F) *encouraging former or current partici-*  
 19                   *pants of a program under this chapter to serve*  
 20                   *as peer counselors;*

21                   “(G) *skills assessments;*

22                   “(H) *personal counseling;*

23                   “(I) *family counseling and home visits;*

24                   “(J) *staff development; and*

1                   “(K) programs and activities described in  
 2                   this subsection that are specially designed for  
 3                   students who are limited English proficient.

4                   “(10) Enabling eligible students to enroll in Ad-  
 5                   vanced Placement or International Baccalaureate  
 6                   courses, or college entrance examination preparation  
 7                   courses.

8                   “(11) Providing services to eligible students in  
 9                   the participating cohort described in section  
 10                  404B(d)(1)(A), through the first year of attendance at  
 11                  an institution of higher education.

12                  “(c)    ADDITIONAL    OPTIONAL    ACTIVITIES    FOR  
 13                  STATES.—In addition to the required activities described  
 14                  in subsection (a) and the optional activities described in  
 15                  subsection (b), an eligible entity described in section  
 16                  404A(c)(1) receiving funds under this chapter may use  
 17                  grant funds to carry out 1 or more of the following activi-  
 18                  ties:

19                       “(1) Providing technical assistance to—

20                           “(A) middle schools or secondary schools  
 21                           that are located within the State; or

22                           “(B) partnerships described in section  
 23                           404A(c)(2) that are located within the State.



1           “(2) *Providing professional development oppor-*  
2           *tunities to individuals working with eligible cohorts*  
3           *of students described in section 404B(d)(1)(A).*

4           “(3) *Providing strategies and activities that*  
5           *align efforts in the State to prepare eligible students*  
6           *for attending and succeeding in postsecondary edu-*  
7           *cation, which may include the development of gradua-*  
8           *tion and career plans.*

9           “(4) *Disseminating information on the use of*  
10          *scientifically based research and best practices to im-*  
11          *prove services for eligible students.*

12          “(5)(A) *Disseminating information on effective*  
13          *coursework and support services that assist students*  
14          *in obtaining the goals described in subparagraph*  
15          *(B)(ii).*

16          “(B) *Identifying and disseminating information*  
17          *on best practices with respect to—*

18                 “(i) *increasing parental involvement; and*

19                 “(ii) *preparing students, including students*  
20                 *with disabilities and students who are limited*  
21                 *English proficient, to succeed academically in,*  
22                 *and prepare financially for, postsecondary edu-*  
23                 *cation.*

1           “(6) *Working to align State academic standards*  
 2           *and curricula with the expectations of postsecondary*  
 3           *institutions and employers.*

4           “(7) *Developing alternatives to traditional sec-*  
 5           *ondary school that give students a head start on at-*  
 6           *taining a recognized postsecondary credential (includ-*  
 7           *ing an industry certificate, an apprenticeship, or an*  
 8           *associate’s or a bachelor’s degree), including school de-*  
 9           *signs that give students early exposure to college-level*  
 10           *courses and experiences and allow students to earn*  
 11           *transferable college credits or an associate’s degree at*  
 12           *the same time as a secondary school diploma.*

13           “(8) *Creating community college programs for*  
 14           *drop-outs that are personalized drop-out recovery pro-*  
 15           *grams that allow drop-outs to complete a regular sec-*  
 16           *ondary school diploma and begin college-level work.*

17           “(d) *PRIORITY STUDENTS.—For eligible entities not*  
 18           *using a cohort approach, the eligible entity shall treat as*  
 19           *priority students any student in middle or secondary school*  
 20           *who is eligible—*

21           “(1) *to be counted under section 1124(c) of the*  
 22           *Elementary and Secondary Education Act of 1965;*

23           “(2) *for free or reduced price meals under the*  
 24           *Richard B. Russell National School Lunch Act;*

1           “(3) *for assistance under a State program fund-*  
 2           *ed under part A or E of title IV of the Social Secu-*  
 3           *rity Act (42 U.S.C. 601 et seq., 670 et seq.); or*

4           “(4) *for assistance under subtitle B of title VII*  
 5           *of the McKinney-Vento Homeless Assistance Act (42*  
 6           *U.S.C. 11431 et seq.).*

7           “(e) *ALLOWABLE PROVIDERS.—In the case of eligible*  
 8           *entities described in section 404A(c)(1), the activities re-*  
 9           *quired by this section may be provided by service providers*  
 10           *such as community-based organizations, schools, institu-*  
 11           *tions of higher education, public and private agencies, non-*  
 12           *profit and philanthropic organizations, businesses, institu-*  
 13           *tions and agencies sponsoring programs authorized under*  
 14           *subpart 4, and other organizations the State determines ap-*  
 15           *propriate.”.*

16           (e) *SCHOLARSHIP COMPONENT.—Section 404E (20*  
 17           *U.S.C. 1070a–25) is amended—*

18                   (1) *by striking subsections (e) and (f);*

19                   (2) *by redesignating subsections (b), (c), and (d)*  
 20           *as subsections (d), (f), and (g), respectively;*

21                   (3) *by inserting after subsection (a) the fol-*  
 22           *lowing:*

23           “(b) *LIMITATION.—*

24                   “(1) *IN GENERAL.—Subject to paragraph (2),*  
 25           *each eligible entity described in section 404A(c)(1)*

1        *that receives a grant under this chapter shall use not*  
 2        *less than 25 percent and not more than 50 percent of*  
 3        *the grant funds for activities described in section*  
 4        *404D (except for the activity described in subsection*  
 5        *(a)(4) of such section), with the remainder of such*  
 6        *funds to be used for a scholarship program under this*  
 7        *section in accordance with such subsection.*

8                *“(2) EXCEPTION.—Notwithstanding paragraph*  
 9        *(1), the Secretary may allow an eligible entity to use*  
 10        *more than 50 percent of grant funds received under*  
 11        *this chapter for such activities, if the eligible entity*  
 12        *demonstrates that the eligible entity has another*  
 13        *means of providing the students with the financial as-*  
 14        *sistance described in this section and describes such*  
 15        *means in the application submitted under section*  
 16        *404C.*

17                *“(c) NOTIFICATION OF ELIGIBILITY.—Each eligible en-*  
 18        *tity providing scholarships under this section shall provide*  
 19        *information on the eligibility requirements for the scholar-*  
 20        *ships to all participating students upon the students’ entry*  
 21        *into the programs assisted under this chapter.”;*

22                *(4) in subsection (d) (as redesignated by para-*  
 23        *graph (2)), by striking “the lesser of” and all that fol-*  
 24        *lows through the period at the end of paragraph (2)*

1       and inserting “the minimum Federal Pell Grant  
2       award under section 401 for such award year.”;

3               (5) by inserting after subsection (d) (as redesign-  
4       nated by paragraph (2) and amended by paragraph  
5       (4)) the following:

6       “(e) *PORTABILITY OF ASSISTANCE.*—

7               “(1) *IN GENERAL.*—Each eligible entity de-  
8       scribed in section 404A(c)(1) that receives a grant  
9       under this chapter shall create or organize a trust for  
10      each cohort described in section 404B(d)(1)(A) for  
11      which the grant is sought in the application sub-  
12      mitted by the entity, which trust shall be an amount  
13      that is not less than the minimum scholarship  
14      amount described in subsection (d), multiplied by the  
15      number of students participating in the cohort.

16              “(2) *REQUIREMENT FOR PORTABILITY.*—Funds  
17      contributed to the trust for a cohort shall be available  
18      to a student in the cohort when the student has—

19                      “(A) completed a secondary school diploma,  
20                      its recognized equivalent, or other recognized al-  
21                      ternative standard for individuals with disabili-  
22                      ties; and

23                      “(B) enrolled in an institution of higher  
24                      education.

1           “(3) *QUALIFIED EDUCATIONAL EXPENSES.*—  
 2           *Funds available to an eligible student from a trust*  
 3           *may be used for—*

4                   “(A) *tuition, fees, books, supplies, and*  
 5                   *equipment required for the enrollment or attend-*  
 6                   *ance of the eligible student at an institution of*  
 7                   *higher education; and*

8                   “(B) *in the case of an eligible student with*  
 9                   *special needs, expenses for special needs services*  
 10                  *which are incurred in connection with such en-*  
 11                  *rollment or attendance.*

12           “(4) *RETURN OF FUNDS.*—

13                   “(A) *REDISTRIBUTION.*—

14                           “(i) *IN GENERAL.*—*Trust funds that*  
 15                           *are not used by an eligible student within*  
 16                           *6 years of the student’s scheduled comple-*  
 17                           *tion of secondary school may be redistrib-*  
 18                           *uted by the eligible entity to other eligible*  
 19                           *students.*

20                           “(ii) *RETURN OF EXCESS TO THE SEC-*  
 21                           *RETARY.*—*If, after meeting the requirements*  
 22                           *of paragraph (1) and, if applicable, redis-*  
 23                           *tributing excess funds in accordance with*  
 24                           *clause (i), an eligible entity has funds re-*  
 25                           *maining, the eligible entity shall return ex-*

1                    *cess funds to the Secretary for distribution*  
 2                    *to other grantees under this chapter.*

3                    “(B) *NONPARTICIPATING ENTITY.*—*Notwith-*  
 4                    *standing subparagraph (A), in the case of an eli-*  
 5                    *gible entity described in section 404A(c)(1)(A)*  
 6                    *that does not receive assistance under this sub-*  
 7                    *part for 6 fiscal years, the eligible entity shall*  
 8                    *return any trust funds not awarded or obligated*  
 9                    *to eligible students to the Secretary for distribu-*  
 10                    *tion to other grantees under this chapter.”; and*  
 11                    *(6) in subsection (g) (as redesignated by para-*  
 12                    *graph (2))—*

13                    *(A) in paragraph (2), by striking “1993”*  
 14                    *and inserting “2001”; and*

15                    *(B) in paragraph (4), by striking “early*  
 16                    *intervention component required under section*  
 17                    *404D” and inserting “activities required under*  
 18                    *section 404D(a)”.*

19                    *(f) REPEAL OF 21ST CENTURY SCHOLAR CERTIFI-*  
 20                    *CATES.—Chapter 2 of subpart 2 of part A of title IV (20*  
 21                    *U.S.C. 1070a–21 et seq.) is further amended—*

22                    *(1) by striking section 404F; and*

23                    *(2) by redesignating sections 404G and 404H as*  
 24                    *sections 404F and 404G, respectively.*

1       (g) *AUTHORIZATION OF APPROPRIATIONS.*—Section  
 2 404G (as redesignated by subsection (f)) (20 U.S.C. 1070a–  
 3 28) is amended by striking “\$200,000,000 for fiscal year  
 4 1999” and all that follows through the period and inserting  
 5 “such sums as may be necessary for fiscal year 2008 and  
 6 each of the 5 succeeding fiscal years.”.

7       (h) *CONFORMING AMENDMENTS.*—Chapter 2 of sub-  
 8 part 2 of part A of title IV (20 U.S.C. 1070a–21 et seq.)  
 9 is further amended—

10           (1) in section 404A(b)(1), by striking “404H”  
 11 and inserting “404G”;

12           (2) in section 404B(a)(1), by striking “404H”  
 13 and inserting “404G”; and

14           (3) in section 404F(c) (as redesignated by sub-  
 15 section (f)(2)), by striking “404H” and inserting  
 16 “404G”.

17 **SEC. 405. ACADEMIC ACHIEVEMENT INCENTIVE SCHOLAR-**  
 18 **SHIPS.**

19 Chapter 3 of subpart 2 of part A of title IV (20 U.S.C.  
 20 1070a–31 et seq.) is repealed.

21 **SEC. 406. FEDERAL SUPPLEMENTAL EDUCATIONAL OPPOR-**  
 22 **TUNITY GRANTS.**

23       (a) *APPROPRIATIONS AUTHORIZED.*—Section  
 24 413A(b)(1) (20 U.S.C. 1070b(b)(1)) is amended by striking  
 25 “\$675,000,000 for fiscal year 1999” and all that follows



1 *through the period and inserting “such sums as may be nec-*  
 2 *essary for fiscal year 2008 and each of the 5 succeeding*  
 3 *fiscal years.”.*

4 *(b) ALLOCATION OF FUNDS.—*

5 *(1) ALLOCATION OF FUNDS.—Section 413D (20*  
 6 *U.S.C. 1070b–3) is amended—*

7 *(A) by striking subsection (a)(4); and*

8 *(B) in subsection (c)(3)(D), by striking*  
 9 *“\$450” and inserting “\$600”.*

10 *(2) TECHNICAL CORRECTION.—Section*  
 11 *413D(a)(1) (20 U.S.C. 1070b–3(a)(1)) is amended by*  
 12 *striking “such institution” and all that follows*  
 13 *through the period and inserting “such institution re-*  
 14 *ceived under subsections (a) and (b) of this section for*  
 15 *fiscal year 1999 (as such subsections were in effect*  
 16 *with respect to allocations for such fiscal year).”.*

17 **SEC. 407. LEVERAGING EDUCATIONAL ASSISTANCE PART-**  
 18 **nership PROGRAM.**

19 *(a) APPROPRIATIONS AUTHORIZED.—Section*  
 20 *415A(b)(1) (20 U.S.C. 1070c(b)(1)) is amended to read as*  
 21 *follows:*

22 *“(1) IN GENERAL.—There are authorized to be*  
 23 *appropriated to carry out this subpart such sums as*  
 24 *may be necessary for fiscal year 2008 and each of the*  
 25 *5 succeeding fiscal years.”.*

1       (b) *APPLICATIONS*.—Section 415C(b) (20 U.S.C.  
2 1070c–2(b)) is amended—

3           (1) in the matter preceding subparagraph (A) of  
4 paragraph (2), by striking “not in excess of \$5,000  
5 per academic year” and inserting “not to exceed the  
6 lesser of \$12,500 or the student’s cost of attendance  
7 per academic year”; and

8           (2) by striking paragraph (10) and inserting the  
9 following:

10           “(10) provides notification to eligible students  
11 that such grants are—

12                   “(A) Leveraging Educational Assistance  
13 Partnership grants; and

14                   “(B) funded by the Federal Government, the  
15 State, and other contributing partners.”.

16       (c) *GRANTS FOR ACCESS AND PERSISTENCE*.—Section  
17 415E (20 U.S.C. 1070c–3a) is amended to read as follows:

18       **“SEC. 415E. GRANTS FOR ACCESS AND PERSISTENCE.**

19           “(a) *PURPOSE*.—It is the purpose of this section to ex-  
20 pand college access and increase college persistence by mak-  
21 ing allotments to States to enable the States to—

22                   “(1) expand and enhance partnerships with in-  
23 stitutions of higher education, early information and  
24 intervention, mentoring, or outreach programs, pri-

1        *vate corporations, philanthropic organizations, and*  
 2        *other interested parties in order to—*

3                *“(A) carry out activities under this section;*

4                *and*

5                *“(B) provide coordination and cohesion*  
 6                *among Federal, State, and local governmental*  
 7                *and private efforts that provide financial assist-*  
 8                *ance to help low-income students attend an insti-*  
 9                *tution of higher education;*

10              *“(2) provide need-based grants for access and*  
 11              *persistence to eligible low-income students;*

12              *“(3) provide early notification to low-income*  
 13              *students of the students’ eligibility for financial aid;*  
 14              *and*

15              *“(4) encourage increased participation in early*  
 16              *information and intervention, mentoring, or outreach*  
 17              *programs.*

18              *“(b) ALLOTMENTS TO STATES.—*

19              *“(1) IN GENERAL.—*

20              *“(A) AUTHORIZATION.—From sums re-*  
 21              *served under section 415A(b)(2) for each fiscal*  
 22              *year, the Secretary shall make an allotment to*  
 23              *each State that submits an application for an al-*  
 24              *lotment in accordance with subsection (c) to en-*  
 25              *able the State to pay the Federal share, as de-*

scribed in paragraph (2), of the cost of carrying out the activities under subsection (d).

“(B) *DETERMINATION OF ALLOTMENT.*—In making allotments under subparagraph (A), the Secretary shall consider the following:

“(i) *CONTINUATION OF AWARD.*—If a State continues to meet the specifications established in such State’s application under subsection (c), the Secretary shall make an allotment to such State that is not less than the allotment made to such State for the previous fiscal year.

“(ii) *PRIORITY.*—The Secretary shall give priority in making allotments to States that meet the requirements described in paragraph (2)(A)(ii).

“(2) *FEDERAL SHARE.*—

“(A) *IN GENERAL.*—The Federal share under this section shall be determined in accordance with the following:

“(i) If a State applies for an allotment under this section in partnership with—

“(I) any number of degree granting institutions of higher education in the State whose combined full-time en-

rollment represents less than a majority of all students attending institutions of higher education in the State; and

“(II)(aa) philanthropic organizations that are located in, or that provide funding in, the State; or

“(bb) private corporations that are located in, or that do business in, the State,

then the Federal share of the cost of carrying out the activities under subsection (d) shall be equal to 50 percent.

“(ii) If a State applies for an allotment under this section in partnership with—

“(I) any number of degree granting institutions of higher education in the State whose combined full-time enrollment represents a majority of all students attending institutions of higher education in the State; and

“(II)(aa) philanthropic organizations that are located in, or that provide funding in, the State; or

1                   “(bb) *private corporations that*  
2                   *are located in, or that do business in,*  
3                   *the State,*  
4                   *then the Federal share of the cost of car-*  
5                   *rying out the activities under subsection (d)*  
6                   *shall be equal to 57 percent.*

7                   “(B) *NON-FEDERAL SHARE.—*

8                   “(i) *IN GENERAL.—The non-Federal*  
9                   *share under this section may be provided in*  
10                  *cash or in kind, fully evaluated and in ac-*  
11                  *cordance with this subparagraph.*

12                  “(ii) *IN KIND CONTRIBUTION.—For the*  
13                  *purpose of calculating the non-Federal share*  
14                  *under this section, an in kind contribution*  
15                  *is a non-cash award that has monetary*  
16                  *value, such as provision of room and board*  
17                  *and transportation passes, and that helps a*  
18                  *student meet the cost of attendance.*

19                  “(iii) *EFFECT ON NEED ANALYSIS.—*  
20                  *For the purpose of calculating a student’s*  
21                  *need in accordance with part F of this title,*  
22                  *an in-kind contribution described in clause*  
23                  *(ii) shall not be considered an asset or in-*  
24                  *come.*

25                  “(c) *APPLICATION FOR ALLOTMENT.—*

1 “(1) *IN GENERAL.*—

2 “(A) *SUBMISSION.*—*A State that desires to*  
3 *receive an allotment under this section on behalf*  
4 *of a partnership described in paragraph (3) shall*  
5 *submit an application to the Secretary at such*  
6 *time, in such manner, and containing such in-*  
7 *formation as the Secretary may require.*

8 “(B) *CONTENT.*—*An application submitted*  
9 *under subparagraph (A) shall include the fol-*  
10 *lowing:*

11 “(i) *A description of the State’s plan*  
12 *for using the allotted funds.*

13 “(ii) *Assurances that the State will*  
14 *provide the non-Federal share from State,*  
15 *institutional, philanthropic, or private*  
16 *funds, of not less than the required share of*  
17 *the cost of carrying out the activities under*  
18 *subsection (d), as determined under sub-*  
19 *section (b), in accordance with the fol-*  
20 *lowing:*

21 “(I) *The State shall specify the*  
22 *methods by which non-Federal share*  
23 *funds will be paid, and include provi-*  
24 *sions designed to ensure that funds*  
25 *provided under this section will be*

1           *used to supplement, and not supplant,*  
2           *Federal and non-Federal funds avail-*  
3           *able for carrying out the activities*  
4           *under this title.*

5           “(II) *A State that uses non-Fed-*  
6           *eral funds to create or expand existing*  
7           *partnerships with nonprofit organiza-*  
8           *tions or community-based organiza-*  
9           *tions in which such organizations*  
10          *match State funds for student scholar-*  
11          *ships, may apply such matching funds*  
12          *from such organizations toward ful-*  
13          *filling the State’s non-Federal share*  
14          *obligation under this clause.*

15          “(iii) *Assurances that early informa-*  
16          *tion and intervention, mentoring, or out-*  
17          *reach programs exist within the State or*  
18          *that there is a plan to make such programs*  
19          *widely available.*

20          “(iv) *A description of the organiza-*  
21          *tional structure that the State has in place*  
22          *to administer the activities under subsection*  
23          *(d), including a description of the system*  
24          *the State will use to track the participation*



1           *of students who receive grants under this*  
 2           *section to degree completion.*

3           “(v) *Assurances that the State has a*  
 4           *method in place, such as acceptance of the*  
 5           *automatic zero expected family contribution*  
 6           *determination described in section 479, to*  
 7           *identify eligible low-income students and*  
 8           *award State grant aid to such students.*

9           “(vi) *Assurances that the State will*  
 10          *provide notification to eligible low-income*  
 11          *students that grants under this section*  
 12          *are—*

13               “(I) *Leveraging Educational As-*  
 14               *sistance Partnership Grants; and*

15               “(II) *funded by the Federal Gov-*  
 16               *ernment, the State, and other contrib-*  
 17               *uting partners.*

18          “(2) *STATE AGENCY.—The State agency that*  
 19          *submits an application for a State under section*  
 20          *415C(a) shall be the same State agency that submits*  
 21          *an application under paragraph (1) for such State.*

22          “(3) *PARTNERSHIP.—In applying for an allot-*  
 23          *ment under this section, the State agency shall apply*  
 24          *for the allotment in partnership with—*

1           “(A) *not less than 1 public and 1 private*  
 2           *degree granting institution of higher education*  
 3           *that are located in the State, if applicable;*

4           “(B) *new or existing early information and*  
 5           *intervention, mentoring, or outreach programs*  
 6           *located in the State; and*

7           “(C) *not less than 1—*

8           “(i) *philanthropic organization located*  
 9           *in, or that provides funding in, the State;*  
 10          *or*

11          “(ii) *private corporation located in, or*  
 12          *that does business in, the State.*

13          “(4) *ROLES OF PARTNERS.—*

14          “(A) *STATE AGENCY.—A State agency that*  
 15          *is in a partnership receiving an allotment under*  
 16          *this section—*

17          “(i) *shall—*

18                  “(I) *serve as the primary admin-*  
 19                  *istrative unit for the partnership;*

20                  “(II) *provide or coordinate non-*  
 21                  *Federal share funds, and coordinate*  
 22                  *activities among partners;*

23                  “(III) *encourage each institution*  
 24                  *of higher education in the State to par-*  
 25                  *ticipate in the partnership;*

1                   “(IV) make determinations and  
2                   early notifications of assistance as de-  
3                   scribed under subsection (d)(2); and

4                   “(V) annually report to the Sec-  
5                   retary on the partnership’s progress in  
6                   meeting the purpose of this section;  
7                   and

8                   “(ii) may provide early information  
9                   and intervention, mentoring, or outreach  
10                  programs.

11                  “(B) *DEGREE GRANTING INSTITUTIONS OF*  
12                  *HIGHER EDUCATION.*—A degree granting institu-  
13                  tion of higher education that is in a partnership  
14                  receiving an allotment under this section—

15                  “(i) shall—

16                         “(I) recruit and admit partici-  
17                         pating qualified students and provide  
18                         such additional institutional grant aid  
19                         to participating students as agreed to  
20                         with the State agency;

21                         “(II) provide support services to  
22                         students who receive grants for access  
23                         and persistence under this section and  
24                         are enrolled at such institution; and

1                   “(III) assist the State in the iden-  
2                   tification of eligible students and the  
3                   dissemination of early notifications of  
4                   assistance as agreed to with the State  
5                   agency; and

6                   “(ii) may provide funding for early in-  
7                   formation and intervention, mentoring, or  
8                   outreach programs or provide such services  
9                   directly.

10                  “(C) *PROGRAMS.*—An early information  
11                  and intervention, mentoring, or outreach pro-  
12                  gram that is in a partnership receiving an allot-  
13                  ment under this section shall provide direct serv-  
14                  ices, support, and information to participating  
15                  students.

16                  “(D) *PHILANTHROPIC ORGANIZATION OR*  
17                  *PRIVATE CORPORATION.*—A philanthropic orga-  
18                  nization or private corporation that is in a  
19                  partnership receiving an allotment under this  
20                  section shall provide funds for grants for access  
21                  and persistence for participating students, or  
22                  provide funds or support for early information  
23                  and intervention, mentoring, or outreach pro-  
24                  grams.

25                  “(d) *AUTHORIZED ACTIVITIES.*—

1 “(1) *IN GENERAL.*—

2 “(A) *ESTABLISHMENT OF PARTNERSHIP.*—

3 *Each State receiving an allotment under this*  
 4 *section shall use the funds to establish a partner-*  
 5 *ship to award grants for access and persistence*  
 6 *to eligible low-income students in order to in-*  
 7 *crease the amount of financial assistance such*  
 8 *students receive under this subpart for under-*  
 9 *graduate education expenses.*

10 “(B) *AMOUNT OF GRANTS.*—

11 “(i) *PARTNERSHIPS WITH INSTITU-*  
 12 *TIONS SERVING LESS THAN A MAJORITY OF*  
 13 *STUDENTS IN THE STATE.*—

14 “(I) *IN GENERAL.*—*In the case*  
 15 *where a State receiving an allotment*  
 16 *under this section is in a partnership*  
 17 *described in subsection (b)(2)(A)(i), the*  
 18 *amount of a grant for access and per-*  
 19 *sistence awarded to a student by such*  
 20 *State shall be not less than the amount*  
 21 *that is equal to the average under-*  
 22 *graduate tuition and mandatory fees*  
 23 *at 4-year public institutions of higher*  
 24 *education in the State where the stu-*  
 25 *dent resides (less any amounts of other*

1           *Federal or State sponsored grants,*  
2           *work study, and scholarships received*  
3           *by the student), and such grant for ac-*  
4           *cess and persistence shall be used to-*  
5           *ward the cost of attendance at an in-*  
6           *stitution of higher education located in*  
7           *the State.*

8                   “(II) *COST OF ATTENDANCE.*—A  
9           *State that has a program, apart from*  
10          *the partnership under this section, of*  
11          *providing eligible low-income students*  
12          *with grants that are equal to the aver-*  
13          *age undergraduate tuition and manda-*  
14          *tory fees at 4-year public institutions*  
15          *of higher education in the State, may*  
16          *increase the amount of grants for ac-*  
17          *cess and persistence awarded to stu-*  
18          *dents by such State up to an amount*  
19          *that is equal to the average cost of at-*  
20          *tendance at 4-year public institutions*  
21          *of higher education in the State (less*  
22          *any amounts of other Federal or State*  
23          *sponsored grants, work study, and*  
24          *scholarships received by the student).*

“(ii) *PARTNERSHIPS WITH INSTITUTIONS SERVING THE MAJORITY OF STUDENTS IN THE STATE.*—*In the case where a State receiving an allotment under this section is in a partnership described in subsection (b)(2)(A)(ii), the amount of a grant for access and persistence awarded to a student by such State shall be not more than an amount that is equal to the average cost of attendance at 4-year public institutions of higher education in the State where the student resides (less any amounts of other Federal or State sponsored grants, work study, and scholarships received by the student), and such grant for access and persistence shall be used by the student to attend an institution of higher education located in the State.*

“(C) *SPECIAL RULES.*—

“(i) *PARTNERSHIP INSTITUTIONS.*—*A State receiving an allotment under this section may restrict the use of grants for access and persistence under this section by awarding the grants only to students at-*

1           *tending institutions of higher education that*  
 2           *are participating in the partnership.*

3           “(ii) *OUT-OF-STATE INSTITUTIONS.—If*  
 4           *a State provides grants through another*  
 5           *program under this subpart to students at-*  
 6           *tending institutions of higher education lo-*  
 7           *cated in another State, such agreement may*  
 8           *also apply to grants awarded under this*  
 9           *section.*

10          “(2) *EARLY NOTIFICATION.—*

11           “(A) *IN GENERAL.—Each State receiving*  
 12           *an allotment under this section shall annually*  
 13           *notify low-income students, such as students who*  
 14           *are eligible to receive a free lunch under the*  
 15           *school lunch program established under the Rich-*  
 16           *ard B. Russell National School Lunch Act, in*  
 17           *grade 7 through grade 12 in the State, of the stu-*  
 18           *dents’ potential eligibility for student financial*  
 19           *assistance, including a grant for access and per-*  
 20           *sistence, to attend an institution of higher edu-*  
 21           *cation.*

22           “(B) *CONTENT OF NOTICE.—The notifica-*  
 23           *tion under subparagraph (A)—*

24           “(i) *shall include—*



1           “(I) information about early in-  
2 formation and intervention, mentoring,  
3 or outreach programs available to the  
4 student;

5           “(II) information that a student’s  
6 eligibility for a grant for access and  
7 persistence is enhanced through par-  
8 ticipation in an early information and  
9 intervention, mentoring, or outreach  
10 program;

11           “(III) an explanation that student  
12 and family eligibility for, and partici-  
13 pation in, other Federal means-tested  
14 programs may indicate eligibility for a  
15 grant for access and persistence and  
16 other student aid programs;

17           “(IV) a nonbinding estimate of  
18 the total amount of financial aid that  
19 a low-income student with a similar  
20 income level may expect to receive, in-  
21 cluding an estimate of the amount of a  
22 grant for access and persistence and an  
23 estimate of the amount of grants,  
24 loans, and all other available types of

1           *aid from the major Federal and State*  
2           *financial aid programs;*

3           “(V) *an explanation that in order*  
4           *to be eligible for a grant for access and*  
5           *persistence, at a minimum, a student*  
6           *shall—*

7                     “(aa) *meet the requirement*  
8                     *under paragraph (3);*

9                     “(bb) *graduate from sec-*  
10                    *ondary school; and*

11                    “(cc) *enroll at an institution*  
12                    *of higher education that is a part-*  
13                    *ner in the partnership or qualifies*  
14                    *under subsection (d)(1)(C)(ii);*

15           “(VI) *information on any addi-*  
16           *tional requirements (such as a student*  
17           *pledge detailing student responsibil-*  
18           *ities) that the State may impose for re-*  
19           *ceipt of a grant for access and persist-*  
20           *ence under this section; and*

21           “(VII) *instructions on how to*  
22           *apply for a grant for access and per-*  
23           *sistence and an explanation that a stu-*  
24           *dent is required to file a Free Applica-*  
25           *tion for Federal Student Aid author-*

1                    *ized under section 483(a) to be eligible*  
2                    *for such grant and assistance from*  
3                    *other Federal and State financial aid*  
4                    *programs; and*

5                    *“(ii) may include a disclaimer that*  
6                    *grant awards for access and persistence are*  
7                    *contingent upon—*

8                    *“(I) a determination of the stu-*  
9                    *dent’s financial eligibility at the time*  
10                  *of the student’s enrollment at an insti-*  
11                  *tution of higher education that is a*  
12                  *partner in the partnership or qualifies*  
13                  *under subsection (d)(1)(C)(ii);*

14                  *“(II) annual Federal and State*  
15                  *appropriations; and*

16                  *“(III) other aid received by the*  
17                  *student at the time of the student’s en-*  
18                  *rollment at such institution of higher*  
19                  *education.*

20                  *“(3) ELIGIBILITY.—In determining which stu-*  
21                  *dents are eligible to receive grants for access and per-*  
22                  *sistence, the State shall ensure that each such student*  
23                  *meets not less than 1 of the following:*

1           “(A) Meets not less than 2 of the following  
2 criteria, with priority given to students meeting  
3 all of the following criteria:

4           “(i) Has an expected family contribu-  
5 tion equal to zero (as described in section  
6 479) or a comparable alternative based  
7 upon the State’s approved criteria in sec-  
8 tion 415C(b)(4).

9           “(ii) Has qualified for a free lunch, or  
10 at the State’s discretion a reduced price  
11 lunch, under the school lunch program es-  
12 tablished under the Richard B. Russell Na-  
13 tional School Lunch Act.

14           “(iii) Qualifies for the State’s max-  
15 imum undergraduate award, as authorized  
16 under section 415C(b).

17           “(iv) Is participating in, or has par-  
18 ticipated in, a Federal, State, institutional,  
19 or community early information and inter-  
20 vention, mentoring, or outreach program, as  
21 recognized by the State agency admin-  
22 istering activities under this section.

23           “(B) Is receiving, or has received, a grant  
24 for access and persistence under this section, in  
25 accordance with paragraph (5).

1           “(4) *GRANT AWARD.*—Once a student, including  
2           those students who have received early notification  
3           under paragraph (2) from the State, applies for ad-  
4           mission to an institution that is a partner in the  
5           partnership, files a Free Application for Federal Stu-  
6           dent Aid and any related existing State form, and is  
7           determined eligible by the State under paragraph (3),  
8           the State shall—

9                   “(A) issue the student a preliminary award  
10                 certificate for a grant for access and persistence  
11                 with tentative award amounts; and

12                   “(B) inform the student that payment of the  
13                 grant for access and persistence award amounts  
14                 is subject to certification of enrollment and  
15                 award eligibility by the institution of higher  
16                 education.

17           “(5) *DURATION OF AWARD.*—An eligible student  
18           that receives a grant for access and persistence under  
19           this section shall receive such grant award for each  
20           year of such student’s undergraduate education in  
21           which the student remains eligible for assistance  
22           under this title, including pursuant to section 484(c),  
23           and remains financially eligible as determined by the  
24           State, except that the State may impose reasonable  
25           time limits to degree completion.

1       “(e) *USE OF FUNDS FOR ADMINISTRATIVE COSTS*  
 2 *PROHIBITED.*—*A State that receives an allotment under*  
 3 *this section shall not use any of the allotted funds to pay*  
 4 *administrative costs associated with any of the authorized*  
 5 *activities described in subsection (d).*

6       “(f) *STATUTORY AND REGULATORY RELIEF FOR INSTI-*  
 7 *TUTIONS OF HIGHER EDUCATION.*—*The Secretary may*  
 8 *grant, upon the request of an institution of higher education*  
 9 *that is in a partnership described in subsection*  
 10 *(b)(2)(A)(ii) and that receives an allotment under this sec-*  
 11 *tion, a waiver for such institution from statutory or regu-*  
 12 *latory requirements that inhibit the ability of the institu-*  
 13 *tion to successfully and efficiently participate in the activi-*  
 14 *ties of the partnership.*

15       “(g) *APPLICABILITY RULE.*—*The provisions of this*  
 16 *subpart which are not inconsistent with this section shall*  
 17 *apply to the program authorized by this section.*

18       “(h) *MAINTENANCE OF EFFORT REQUIREMENT.*—  
 19 *Each State receiving an allotment under this section for*  
 20 *a fiscal year shall provide the Secretary with an assurance*  
 21 *that the aggregate amount expended per student or the ag-*  
 22 *gregate expenditures by the State, from funds derived from*  
 23 *non-Federal sources, for the authorized activities described*  
 24 *in subsection (d) for the preceding fiscal year were not less*  
 25 *than the amount expended per student or the aggregate ex-*

1 *penditure by the State for the activities for the second pre-*  
 2 *ceding fiscal year.*

3       “(i) *SPECIAL RULE.*—Notwithstanding subsection (h),  
 4 *for purposes of determining a State’s share of the cost of*  
 5 *the authorized activities described in subsection (d), the*  
 6 *State shall consider only those expenditures from non-Fed-*  
 7 *eral sources that exceed the State’s total expenditures for*  
 8 *need-based grants, scholarships, and work-study assistance*  
 9 *for fiscal year 1999 (including any such assistance provided*  
 10 *under this subpart).*

11       “(j) *CONTINUATION AND TRANSITION.*—For the 2-year  
 12 *period that begins on the date of enactment of the Higher*  
 13 *Education Amendments of 2007, the Secretary shall con-*  
 14 *tinue to award grants under section 415E of the Higher*  
 15 *Education Act of 1965 as such section existed on the day*  
 16 *before the date of enactment of such Act to States that choose*  
 17 *to apply for grants under such predecessor section.*

18       “(k) *REPORTS.*—Not later than 3 years after the date  
 19 *of enactment of the Higher Education Amendments of 2007*  
 20 *and annually thereafter, the Secretary shall submit a report*  
 21 *describing the activities and the impact of the partnerships*  
 22 *under this section to the authorizing committees.”.*

1 **SEC. 408. SPECIAL PROGRAMS FOR STUDENTS WHOSE FAMI-**  
 2 **LIES ARE ENGAGED IN MIGRANT AND SEA-**  
 3 **SONAL FARMWORK.**

4 *Section 418A (20 U.S.C. 1070d-2) is amended—*

5 *(1) in subsection (b)—*

6 *(A) in paragraph (1)(B)(i), by striking*  
 7 *“parents” and inserting “immediate family”;*

8 *(B) in paragraph (3)(B), by inserting “(in-*  
 9 *cluding preparation for college entrance exami-*  
 10 *nations)” after “college program”;*

11 *(C) in paragraph (5), by striking “weekly”;*

12 *(D) in paragraph (7), by striking “and”*  
 13 *after the semicolon;*

14 *(E) in paragraph (8)—*

15 *(i) by inserting “(such as transpor-*  
 16 *tation and child care)” after “services”; and*

17 *(ii) by striking the period at the end*  
 18 *and inserting “; and”; and*

19 *(F) by adding at the end the following:*

20 *“(9) other activities to improve persistence and*  
 21 *retention in postsecondary education.”;*

22 *(2) in subsection (c)—*

23 *(A) in paragraph (1)—*

24 *(i) in subparagraph (A), by striking*  
 25 *“parents” and inserting “immediate fam-*  
 26 *ily”; and*



1                   (ii) in subparagraph (B)—

2                   (I) in the matter preceding clause  
3                   (i), by inserting “to improve place-  
4                   ment, persistence, and retention in  
5                   postsecondary education,” after “serv-  
6                   ices”; and

7                   (II) in clause (i), by striking  
8                   “and career” and inserting “career,  
9                   and economic education or personal fi-  
10                  nance”;

11                  (iii) in subparagraph (E), by striking  
12                  “and” after the semicolon;

13                  (iv) by redesignating subparagraph (F)  
14                  as subparagraph (G);

15                  (v) by inserting after subparagraph  
16                  (E) the following:

17                  “(F) internships; and”; and

18                  (vi) in subparagraph (G) (as redesign-  
19                  ated by clause (iv)), by striking “support  
20                  services” and inserting “essential supportive  
21                  services (such as transportation and child  
22                  care)” ; and

23                  (B) in paragraph (2)—

24                  (i) in subparagraph (A), by striking  
25                  “and” after the semicolon;

1                   (ii) in subparagraph (B), by striking  
 2                   the period at the end and inserting “, and  
 3                   coordinating such services, assistance, and  
 4                   aid with other non-program services, assist-  
 5                   ance, and aid, including services, assist-  
 6                   ance, and aid provided by community-based  
 7                   organizations, which may include men-  
 8                   toring and guidance; and”;

9                   (iii) by adding at the end the fol-  
 10                  lowing:

11               “(C) for students attending 2-year institutions of  
 12               higher education, encouraging the students to transfer  
 13               to 4-year institutions of higher education, where ap-  
 14               propriate, and monitoring the rate of transfer of such  
 15               students.”;

16               (3) in subsection (e), by striking “section  
 17               402A(c)(1)” and inserting “section 402A(c)(2)”;

18               (4) in subsection (f)—

19                   (A) in paragraph (1), by striking  
 20                   “\$150,000” and inserting “\$180,000”; and

21                   (B) in paragraph (2), by striking  
 22                   “\$150,000” and inserting “\$180,000”;

23               (5) by redesignating subsections (g) and (h) as  
 24               subsections (h) and (i), respectively;

25               (6) by inserting after subsection (f) the following:

1       “(g) *RESERVATION OF FUNDS.*—*From the amounts*  
 2 *made available under subsection (i), the Secretary may re-*  
 3 *serve not more than a total of 1/2 of 1 percent for outreach*  
 4 *activities, technical assistance, and professional develop-*  
 5 *ment programs relating to the programs under subsection*  
 6 *(a).”;*

7               (7) *by striking subsection (h) (as redesignated by*  
 8 *paragraph (5)) and inserting the following:*

9       “(h) *DATA COLLECTION.*—*The Commissioner for Edu-*  
 10 *cation Statistics shall—*

11               “(1) *annually collect data on persons receiving*  
 12 *services authorized under this subpart regarding such*  
 13 *persons’ rates of secondary school graduation, en-*  
 14 *trance into postsecondary education, and completion*  
 15 *of postsecondary education;*

16               “(2) *not less often than once every 2 years, pre-*  
 17 *pare and submit a report based on the most recently*  
 18 *available data under paragraph (1) to the author-*  
 19 *izing committees; and*

20               “(3) *make such report available to the public.”;*  
 21 *and*

22               (8) *in subsection (i) (as redesignated by para-*  
 23 *graph (5))—*

24               (A) *in paragraph (1), by striking*  
 25 *“\$15,000,000 for fiscal year 1999” and all that*

1 follows through the period and inserting “such  
 2 sums as may be necessary for fiscal year 2008  
 3 and each of the 5 succeeding fiscal years.”; and  
 4 (B) in paragraph (2), by striking  
 5 “\$5,000,000 for fiscal year 1999” and all that  
 6 follows through the period and inserting “such  
 7 sums as may be necessary for fiscal year 2008  
 8 and each of the 5 succeeding fiscal years.”.

9 **SEC. 409. ROBERT C. BYRD HONORS SCHOLARSHIP PRO-**  
 10 **GRAM.**

11 (a) *ELIGIBILITY OF SCHOLARS.*—Section 419F(a) (20  
 12 U.S.C. 1070d–36(a)) is amended by inserting “(or a home  
 13 school, whether treated as a home school or a private school  
 14 under State law)” after “public or private secondary  
 15 school”.

16 (b) *AUTHORIZATION OF APPROPRIATIONS.*—Section  
 17 419K (20 U.S.C. 1070d–41) is amended by striking  
 18 “\$45,000,000 for fiscal year 1999” and all that follows  
 19 through the period and inserting “such sums as may be nec-  
 20 essary for fiscal year 2008 and each of the 5 succeeding  
 21 fiscal years.”.

22 **SEC. 410. CHILD CARE ACCESS MEANS PARENTS IN**  
 23 **SCHOOL.**

24 (a) *MINIMUM GRANT.*—Section 419N(b)(2)(B) (20  
 25 U.S.C. 1070e(b)(2)(B)) is amended—

1           (1) *by striking “A grant” and inserting the fol-*  
 2       *lowing:*

3                       “(i) *IN GENERAL.—Except as provided*  
 4                       *in clause (ii), a grant”*; and

5       (2) *by adding at the end the following:*

6                       “(ii) *INCREASE TRIGGER.—For any*  
 7                       *fiscal year for which the amount appro-*  
 8                       *priated under the authority of subsection*  
 9                       *(g) is equal to or greater than \$20,000,000,*  
 10                      *a grant under this section shall be awarded*  
 11                      *in an amount that is not less than*  
 12                      *\$30,000.”.*

13       (b) *DEFINITION OF LOW-INCOME STUDENT.—Para-*  
 14       *graph (7) of section 419N(b) (20 U.S.C. 1070e(b)) is amend-*  
 15       *ed to read as follows:*

16                      “(7) *DEFINITION OF LOW-INCOME STUDENT.—*  
 17       *For the purpose of this section, the term ‘low-income*  
 18       *student’ means a student who—*

19                      “(A) *is eligible to receive a Federal Pell*  
 20                      *Grant for the award year for which the deter-*  
 21                      *mination is made; or*

22                      “(B) *would otherwise be eligible to receive a*  
 23                      *Federal Pell Grant for the award year for which*  
 24                      *the determination is made, except that the stu-*  
 25                      *dent fails to meet the requirements of—*

7           (c) *AUTHORIZATION OF APPROPRIATIONS.—Section*  
8 *419N(g) (20 U.S.C. 1070e(g)) is amended by striking*  
9 *“\$45,000,000 for fiscal year 1999” and all that follows*  
10 *through the period and inserting “such sums as may be nec-*  
11 *essary for fiscal year 2008 and each of the 5 succeeding*  
12 *fiscal years.”.*

14        *Subpart 8 of part A of title IV (20 U.S.C. 1070f et*  
15 *seq.) is repealed.*

18 *SEC. 421. FEDERAL PAYMENTS TO REDUCE STUDENT IN-*  
19 *TEREST COSTS.*

20        *Section 428 (as amended by this Act) (20 U.S.C. 1078)*  
21   *is further amended—*

22 (1) in subsection (b)—

23 (A) in paragraph (1)—

(i) in subparagraph (X), by striking  
“and” after the semicolon;

1                   (ii) in subparagraph (Y)—

2                   (I) by striking clause (i) and in-  
3                   serting the following:

4                   “(i) the lender shall determine the eli-  
5                   gibility of a borrower for a deferment de-  
6                   scribed in subparagraph (M)(i) based on—

7                   “(I) receipt of a request for  
8                   deferment from the borrower and docu-  
9                   mentation of the borrower’s eligibility  
10                  for the deferment;

11                  “(II) receipt of a newly completed  
12                  loan application that documents the  
13                  borrower’s eligibility for a deferment;

14                  “(III) receipt of student status in-  
15                  formation received by the lender that  
16                  the borrower is enrolled on at least a  
17                  half-time basis; or

18                  “(IV) the lender’s confirmation of  
19                  the borrower’s half-time enrollment sta-  
20                  tus through use of the National Stu-  
21                  dent Loan Data System, if the con-  
22                  firmation is requested by the institu-  
23                  tion of higher education.”; and

1                   (II) in clause (ii), by striking the  
 2                   period at the end and inserting “;  
 3                   and”; and

4                   (iii) by adding at the end the fol-  
 5                   lowing:

6                   “(Z) provides that the lender shall, at the  
 7                   time the lender grants a deferment to a borrower  
 8                   who received a loan under section 428H and is  
 9                   eligible for a deferment under section  
 10                  428(b)(1)(M), provide information to the bor-  
 11                  rower to enable the borrower to understand the  
 12                  impact of capitalization of interest on the bor-  
 13                  rower’s loan principal and total amount of in-  
 14                  terest to be paid during the life of the loan.”;

15                  (B) in paragraph (2)(F)—

16                   (i) in clause (i)—

17                   (I) in subclause (III), by striking  
 18                   “and” after the semicolon;

19                   (II) in subclause (IV), by striking  
 20                   “and” after the semicolon; and

21                   (III) by adding at the end the fol-  
 22                   lowing:

23                   “(V) the effective date of the trans-  
 24                   fer;



1                   “(VI) the date the current servicer  
2                   will stop accepting payments; and

3                   “(VII) the date at which the new  
4                   servicer will begin accepting pay-  
5                   ments.”; and

6                   (C) by striking paragraph (3) and inserting  
7                   the following:

8                   “(3) *RESTRICTIONS ON INDUCEMENTS, PAY-*  
9                   *MENTS, MAILINGS, AND ADVERTISING.—A guaranty*  
10                  *agency shall not—*

11                  “(A) offer, directly or indirectly, premiums,  
12                  payments, stock or other securities, prizes, travel,  
13                  entertainment expenses, tuition repayment, or  
14                  other inducements to—

15                  “(i) any institution of higher edu-  
16                  cation or the employees of an institution of  
17                  higher education in order to secure appli-  
18                  cants for loans made under this part; or

19                  “(ii) any lender, or any agent, em-  
20                  ployee, or independent contractor of any  
21                  lender or guaranty agency, in order to ad-  
22                  minister or market loans made under this  
23                  part (other than a loan made under section  
24                  428H or a loan made as part of the guar-  
25                  anty agency’s lender-of-last-resort program

1           *pursuant to section 439(q)) for the purpose*  
2           *of securing the designation of the guaranty*  
3           *agency as the insurer of such loans;*

4           *“(B) conduct unsolicited mailings, by postal*  
5           *or electronic means, of educational loan applica-*  
6           *tion forms to students enrolled in secondary*  
7           *school or postsecondary educational institutions,*  
8           *or to the parents of such students, except that ap-*  
9           *plications may be mailed, by postal or electronic*  
10          *means, to students or borrowers who have pre-*  
11          *viously received loans guaranteed under this*  
12          *part by the guaranty agency;*

13          *“(C) perform, for an institution of higher*  
14          *education participating in a program under this*  
15          *title, any function that the institution is re-*  
16          *quired to perform under part B, D, or G;*

17          *“(D) pay, on behalf of the institution of*  
18          *higher education, another person to perform any*  
19          *function that the institution of higher education*  
20          *is required to perform under part B, D, or G; or*

21          *“(E) conduct fraudulent or misleading ad-*  
22          *vertising concerning loan availability, terms, or*  
23          *conditions.*

24          *It shall not be a violation of this paragraph for a*  
25          *guaranty agency to provide technical assistance to in-*

stitutions of higher education comparable to the technical assistance provided to institutions of higher education by the Department.”; and

(2) in subsection (c)—

(A) in paragraph (2)(H)(i), by striking “preclaims” and inserting “default aversion”; and

(B) in paragraph (3)(D)—

(i) in clause (i), by striking “and” after the comma at the end;

(ii) in clause (ii), by striking the period and inserting a semicolon; and

(iii) by inserting after clause (ii) the following:

“(iii) the lender shall, at the time of granting a borrower forbearance, provide information to the borrower to enable the borrower to understand the impact of capitalization of interest on the borrower’s loan principal and total amount of interest to be paid during the life of the loan; and

“(iv) the lender shall contact the borrower not less often than once every 180 days during the period of forbearance to inform the borrower of—

1                   “(I) the amount of unpaid prin-  
 2                   cipal and the amount of interest that  
 3                   has accrued since the last statement of  
 4                   such amounts provided to the borrower  
 5                   by the lender;

6                   “(II) the fact that interest will ac-  
 7                   crue on the loan for the period of for-  
 8                   bearance;

9                   “(III) the amount of interest that  
 10                  will be capitalized, and the date on  
 11                  which capitalization will occur;

12                  “(IV) the ability of the borrower  
 13                  to pay the interest that has accrued be-  
 14                  fore the interest is capitalized; and

15                  “(V) the borrower’s option to dis-  
 16                  continue the forbearance at any time.”.

17 **SEC. 422. FEDERAL CONSOLIDATION LOANS.**

18           (a) *AMENDMENTS.*—Section 428C(b)(1) (20 U.S.C.  
 19 1078–3(b)(1)) is amended—

20                   (1) in subparagraph (E), by striking “and” after  
 21                   the semicolon;

22                   (2) by redesignating subparagraph (F) as sub-  
 23                   paragraph (H); and

24                   (3) by inserting after subparagraph (E) the fol-  
 25                   lowing:

1           “(F) that the lender will disclose, in a clear  
2           and conspicuous manner, to borrowers who con-  
3           solidate loans made under part E of this title—

4                   “(i) that once the borrower adds the  
5                   borrower’s Federal Perkins Loan to a Fed-  
6                   eral Consolidation Loan, the borrower will  
7                   lose all interest-free periods that would have  
8                   been available, such as those periods when  
9                   no interest accrues on the Federal Perkins  
10                  Loan while the borrower is enrolled in  
11                  school at least half-time, during the grace  
12                  period, and during periods when the bor-  
13                  rower’s student loan repayments are de-  
14                  ferred;

15                   “(ii) that the borrower will no longer  
16                   be eligible for loan cancellation of Federal  
17                   Perkins Loans under any provision of sec-  
18                   tion 465; and

19                   “(iii) the occupations described in sec-  
20                   tion 465(a)(2), individually and in detail,  
21                   for which the borrower will lose eligibility  
22                   for Federal Perkins Loan cancellation; and

23                   “(G) that the lender shall, upon application  
24                  for a consolidation loan, provide the borrower

1           *with information about the possible impact of*  
2           *loan consolidation, including—*

3                   “(i) *the total interest to be paid and*  
4                   *fees to be paid on the consolidation loan,*  
5                   *and the length of repayment for the loan;*

6                   “(ii) *whether consolidation would re-*  
7                   *sult in a loss of loan benefits under this*  
8                   *part or part D, including loan forgiveness,*  
9                   *cancellation, and deferment;*

10                  “(iii) *in the case of a borrower that*  
11                  *plans to include a Federal Perkins Loan*  
12                  *under part E in the consolidation loan, that*  
13                  *once the borrower adds the borrower’s Fed-*  
14                  *eral Perkins Loan to a consolidation loan—*

15                       “(I) *the borrower will lose all in-*  
16                       *terest-free periods that would have*  
17                       *been available for such loan under part*  
18                       *E, such as the periods during which no*  
19                       *interest accrues on the Federal Perkins*  
20                       *Loan while the borrower is enrolled in*  
21                       *school at least half-time, the grace pe-*  
22                       *riod, and the periods during which the*  
23                       *borrower’s student loan repayments are*  
24                       *deferred under section 464(c)(2); and*

1                   “(II) the borrower will no longer  
2                   be eligible for cancellation of part or  
3                   all of a Federal Perkins loan under  
4                   section 465(a);

5                   “(iv) the ability of the borrower to pre-  
6                   pay the consolidation loan, pay such loan  
7                   on a shorter schedule, and to change repay-  
8                   ment plans;

9                   “(v) that borrower benefit programs for  
10                  a consolidation loan may vary among dif-  
11                  ferent lenders;

12                  “(vi) the consequences of default on the  
13                  consolidation loan; and

14                  “(vii) that by applying for a consoli-  
15                  dation loan, the borrower is not obligated to  
16                  agree to take the consolidation loan; and”.

17           (b) *CONFORMING AMENDMENT.*—Section 455(g) (20  
18 U.S.C. 1087e(g)) is amended by striking “428C(b)(1)(F)”  
19 and inserting “428C(b)(1)(H)”.

20 **SEC. 423. DEFAULT REDUCTION PROGRAM.**

21           Section 428F (20 U.S.C. 1078–6) is amended by add-  
22 ing at the end the following:

23           “(c) *FINANCIAL AND ECONOMIC LITERACY.*—Where  
24 appropriate as determined by the institution of higher edu-  
25 cation in which a borrower is enrolled, each program de-

1 *scribed in subsection (b) shall include making available fi-*  
 2 *nancial and economic education materials for the borrower,*  
 3 *including making the materials available before, during, or*  
 4 *after rehabilitation of a loan.”.*

5 **SEC. 424. REPORTS TO CONSUMER REPORTING AGENCIES**  
 6 **AND INSTITUTIONS OF HIGHER EDUCATION.**

7 *Section 430A (20 U.S.C. 1080a) is amended—*

8 *(1) in the section heading, by striking “**CREDIT***  
 9 ***BUREAUS**” and inserting “**CONSUMER REPORT-***  
 10 ***ING AGENCIES**”; and*

11 *(2) in subsection (a)—*

12 *(A) in the first sentence, by striking “with*  
 13 *credit bureau organizations” and inserting*  
 14 *“with each consumer reporting agency that com-*  
 15 *piles and maintains files on consumers on a na-*  
 16 *tionwide basis (as defined in section 603(p) of*  
 17 *the Fair Credit Reporting Act (15 U.S.C.*  
 18 *1681a(p))”;*

19 *(B) by redesignating paragraphs (1), (2),*  
 20 *and (3) as paragraphs (2), (4), and (5), respec-*  
 21 *tively;*

22 *(C) by inserting before paragraph (2) (as*  
 23 *redesignated by subparagraph (B)), the fol-*  
 24 *lowing:*



1           “(1) the type of loan made, insured, or guaran-  
2       teed under this title;”;

3           (D) by inserting after paragraph (2) (as re-  
4       designated by subparagraph (B)), the following:

5           “(3) information concerning the repayment sta-  
6       tus of the loan, which information shall be included  
7       in the file of the borrower, except that nothing in this  
8       subsection shall be construed to affect any otherwise  
9       applicable provision of the Fair Credit Reporting Act  
10      (15 U.S.C. 1681 et seq.)”;

11          (E) in paragraph (4) (as redesignated by  
12      subparagraph (B)), by striking “and” after the  
13      semicolon;

14          (F) in paragraph (5) (as redesignated by  
15      subparagraph (B)), by striking the period and  
16      inserting “; and”; and

17          (G) by adding at the end the following:

18          “(6) any other information required to be re-  
19      ported by Federal law.”.

20   **SEC. 425. COMMON FORMS AND FORMATS.**

21      Section 432(m)(1)(D)(i) (20 U.S.C. 1082(m)(1)(D)(i))  
22   is amended by adding at the end the following: “Unless oth-  
23   erwise notified by the Secretary, each institution of higher  
24   education that participates in the program under this part

1 *or part D may use a master promissory note for loans*  
 2 *under this part and part D.”.*

3 **SEC. 426. STUDENT LOAN INFORMATION BY ELIGIBLE**  
 4 **LENDERS.**

5 *Section 433 (20 U.S.C. 1083) is amended by adding*  
 6 *at the end the following:*

7 *“(f) BORROWER INFORMATION AND PRIVACY.—Each*  
 8 *entity participating in a program under this part that is*  
 9 *subject to subtitle A of title V of the Gramm-Leach-Bliley*  
 10 *Act (15 U.S.C. 6801 et seq.) shall only use, release, disclose,*  
 11 *sell, transfer, or give student information, including the*  
 12 *name, address, social security number, or amount borrowed*  
 13 *by a borrower or a borrower’s parent, in accordance with*  
 14 *the provisions of such subtitle.*

15 *“(g) LOAN BENEFIT DISCLOSURES.—*

16 *“(1) IN GENERAL.—Each eligible lender, holder,*  
 17 *or servicer of a loan made, insured, or guaranteed*  
 18 *under this part shall provide the borrower with infor-*  
 19 *mation on the loan benefit repayment options the*  
 20 *lender, holder, or servicer offer, including information*  
 21 *on reductions in interest rates—*

22 *“(A) by repaying the loan by automatic*  
 23 *payroll or checking account deduction;*

24 *“(B) by completing a program of on-time*  
 25 *repayment; and*

1                   “(C) under any other interest rate reduction  
2                   program.

3                   “(2) *INFORMATION.*—Such borrower information  
4                   shall include—

5                   “(A) any limitations on such options;

6                   “(B) explicit information on the reasons a  
7                   borrower may lose eligibility for such an option;

8                   “(C) examples of the impact the interest  
9                   rate reductions will have on a borrower’s time  
10                  for repayment and amount of repayment;

11                  “(D) upon the request of the borrower, the  
12                  effect the reductions in interest rates will have  
13                  with respect to the borrower’s payoff amount and  
14                  time for repayment; and

15                  “(E) information on borrower recertifi-  
16                  cation requirements.”.

17 **SEC. 427. CONSUMER EDUCATION INFORMATION.**

18                  Part B (20 U.S.C. 1071 et seq.) is amended by insert-  
19                  ing after section 433 (20 U.S.C. 1083) the following:

20 **“SEC. 433A. CONSUMER EDUCATION INFORMATION.**

21                  “Each guaranty agency participating in a program  
22                  under this part, working with the institutions of higher edu-  
23                  cation served by such guaranty agency (or in the case of  
24                  an institution of higher education that provides loans exclu-  
25                  sively through part D, the institution working with a guar-

1 *anty agency or with the Secretary), shall develop and make*  
 2 *available a high-quality educational program and mate-*  
 3 *rials to provide training for students in budgeting and fi-*  
 4 *nancial management, including debt management and*  
 5 *other aspects of financial literacy, such as the cost of using*  
 6 *very high interest loans to pay for postsecondary education,*  
 7 *particularly as budgeting and financial management re-*  
 8 *lates to student loan programs authorized by this title.*  
 9 *Nothing in this section shall be construed to prohibit a*  
 10 *guaranty agency from using an existing program or exist-*  
 11 *ing materials to meet the requirement of this section. The*  
 12 *activities described in this section shall be considered de-*  
 13 *fault reduction activities for the purposes of section 422.”.*

14 **SEC. 428. DEFINITION OF ELIGIBLE LENDER.**

15 *Section 435(d) (20 U.S.C. 1085(d)) is amended—*

16 *(1) in paragraph (5)—*

17 *(A) by redesignating subparagraphs (C)*  
 18 *and (D) as subparagraphs (H) and (I), respec-*  
 19 *tively; and*

20 *(B) by striking subparagraphs (A) and (B)*  
 21 *and inserting the following:*

22 *“(A) offered, directly or indirectly, points,*  
 23 *premiums, payments (including payments for re-*  
 24 *ferrals and for processing or finder fees), prizes,*  
 25 *stock or other securities, travel, entertainment ex-*

1        *penses, tuition repayment, the provision of infor-*  
2        *mation technology equipment at below-market*  
3        *value, additional financial aid funds, or other*  
4        *inducements to any institution of higher edu-*  
5        *cation or any employee of an institution of high-*  
6        *er education in order to secure applicants for*  
7        *loans under this part;*

8                *“(B) conducted unsolicited mailings, by*  
9        *postal or electronic means, of student loan appli-*  
10        *cation forms to students enrolled in secondary*  
11        *school or postsecondary institutions, or to par-*  
12        *ents of such students, except that applications*  
13        *may be mailed, by postal or electronic means, to*  
14        *students or borrowers who have previously re-*  
15        *ceived loans under this part from such lender;*

16                *“(C) entered into any type of consulting ar-*  
17        *rangement, or other contract to provide services*  
18        *to a lender, with an employee who is employed*  
19        *in the financial aid office of an institution of*  
20        *higher education, or who otherwise has respon-*  
21        *sibilities with respect to student loans or other fi-*  
22        *nancial aid of the institution;*

23                *“(D) compensated an employee who is em-*  
24        *ployed in the financial aid office of an institu-*  
25        *tion of higher education, or who otherwise has*

responsibilities with respect to educational loans or other financial aid of the institution, and who is serving on an advisory board, commission, or group established by a lender or group of lenders for providing such service, except that the eligible lender may reimburse such employee for reasonable expenses incurred in providing such service;

“(E) performed for an institution of higher education any function that the institution of higher education is required to carry out under part B, D, or G;

“(F) paid, on behalf of an institution of higher education, another person to perform any function that the institution of higher education is required to perform under part B, D, or G;

“(G) provided payments or other benefits to a student at an institution of higher education to act as the lender’s representative to secure applications under this title from individual prospective borrowers, unless such student—

“(i) is also employed by the lender for other purposes; and

“(ii) made all appropriate disclosures regarding such employment;”; and

(2) by adding at the end the following:

1           “(8) *SUNSET OF AUTHORITY FOR SCHOOL AS*  
 2           *LENDER PROGRAM.*—

3           “(A) *SUNSET.*—*The authority provided*  
 4           *under subsection (d)(1)(E) for an institution to*  
 5           *serve as an eligible lender, and under paragraph*  
 6           *(7) for an eligible lender to serve as a trustee for*  
 7           *an institution of higher education or an organi-*  
 8           *zation affiliated with an institution of higher*  
 9           *education, shall expire on June 30, 2012.*

10           “(B) *APPLICATION TO EXISTING INSTITU-*  
 11           *TIONAL LENDERS.*—*An institution that was an*  
 12           *eligible lender under this subsection, or an eligi-*  
 13           *ble lender that served as a trustee for an institu-*  
 14           *tion of higher education or an organization af-*  
 15           *iliated with an institution of higher education*  
 16           *under paragraph (7), before June 30, 2012,*  
 17           *shall—*

18           “(i) *not issue any new loans in such a*  
 19           *capacity under part B after June 30, 2012;*  
 20           *and*

21           “(ii) *continue to carry out the institu-*  
 22           *tion’s responsibilities for any loans issued*  
 23           *by the institution under part B on or before*  
 24           *June 30, 2012, except that, beginning on*  
 25           *June 30, 2011, the eligible institution or*

1           trustee may, notwithstanding any other  
 2           provision of this Act, sell or otherwise dis-  
 3           pose of such loans if all profits from the di-  
 4           vestiture are used for need-based grant pro-  
 5           grams at the institution.

6           “(C) *AUDIT REQUIREMENT.*—All institu-  
 7           tions serving as an eligible lender under sub-  
 8           section (d)(1)(E) and all eligible lenders serving  
 9           as a trustee for an institution of higher edu-  
 10          cation or an organization affiliated with an in-  
 11          stitution of higher education shall annually com-  
 12          plete and submit to the Secretary a compliance  
 13          audit to determine whether—

14               “(i) the institution or lender is using  
 15               all proceeds from special allowance pay-  
 16               ments and interest payments from bor-  
 17               rowers, interest subsidies received from the  
 18               Department, and any proceeds from the sale  
 19               or other disposition of loans, for need-based  
 20               aid programs, in accordance with section  
 21               435(d)(2)(A)(viii);

22               “(ii) the institution or lender is using  
 23               no more than a reasonable portion of the  
 24               proceeds       described       in       section



1                   435(d)(2)(A)(viii) for direct administrative  
2                   expenses; and

3                   “(iii) the institution or lender is en-  
4                   suring that the proceeds described in section  
5                   435(d)(2)(A)(viii) are being used to supple-  
6                   ment, and not to supplant, non-Federal  
7                   funds that would otherwise be used for need-  
8                   based grant programs.”.

9   **SEC. 429. DISCHARGE AND CANCELLATION RIGHTS IN**  
10                   **CASES OF DISABILITY.**

11           (a) *FFEL AND DIRECT LOANS*.—Section 437(a) (20  
12   U.S.C. 1087) is amended—

13                   (1) by inserting “, or if a student borrower who  
14                   has received such a loan is unable to engage in any  
15                   substantial gainful activity by reason of any medi-  
16                   cally determinable physical or mental impairment  
17                   that can be expected to result in death, has lasted for  
18                   a continuous period of not less than 60 months, or  
19                   can be expected to last for a continuous period of not  
20                   less than 60 months” after “of the Secretary),”; and

21                   (2) by adding at the end the following: “The Sec-  
22                   retary may develop such safeguards as the Secretary  
23                   determines necessary to prevent fraud and abuse in  
24                   the discharge of liability under this subsection. Not-  
25                   withstanding any other provision of this subsection,

1        *the Secretary may promulgate regulations to resume*  
 2        *collection on loans discharged under this subsection in*  
 3        *any case in which—*

4                *“(1) a borrower received a discharge of liability*  
 5        *under this subsection and after the discharge the bor-*  
 6        *rower—*

7                *“(A) receives a loan made, insured or guar-*  
 8        *anteed under this title; or*

9                *“(B) has earned income in excess of the pov-*  
 10       *erty line; or*

11               *“(2) the Secretary determines necessary.”.*

12        *(b) PERKINS.—Section 464(c) (20 U.S.C. 1087dd(c))*  
 13        *is amended—*

14               *(1) in paragraph (1)(F)—*

15               *(A) by striking “or if he” and inserting “if*  
 16        *the borrower”; and*

17               *(B) by inserting “, or if the borrower is un-*  
 18        *able to engage in any substantial gainful activ-*  
 19        *ity by reason of any medically determinable*  
 20        *physical or mental impairment that can be ex-*  
 21        *pected to result in death, has lasted for a contin-*  
 22        *uous period of not less than 60 months, or can*  
 23        *be expected to last for a continuous period of not*  
 24        *less than 60 months” after “the Secretary”; and*

25               *(2) by adding at the end the following:*

1           “(8) *The Secretary may develop such additional*  
 2           *safeguards as the Secretary determines necessary to*  
 3           *prevent fraud and abuse in the cancellation of liabil-*  
 4           *ity under paragraph (1)(F). Notwithstanding para-*  
 5           *graph (1)(F), the Secretary may promulgate regula-*  
 6           *tions to resume collection on loans cancelled under*  
 7           *paragraph (1)(F) in any case in which—*

8                       “(A) *a borrower received a cancellation of*  
 9                       *liability under paragraph (1)(F) and after the*  
 10                      *cancellation the borrower—*

11                               “(i) *receives a loan made, insured or*  
 12                               *guaranteed under this title; or*

13                               “(ii) *has earned income in excess of the*  
 14                               *poverty line; or*

15                               “(B) *the Secretary determines necessary.*”.

16           (c) *EFFECTIVE DATE.—The amendments made by sub-*  
 17           *sections (a) and (b) shall take effect on July 1, 2008.*

18           **PART C—FEDERAL WORK-STUDY PROGRAMS**

19           **SEC. 441. AUTHORIZATION OF APPROPRIATIONS.**

20           Section 441(b) (42 U.S.C. 2751(b)) *is amended by*  
 21           *striking “\$1,000,000,000 for fiscal year 1999” and all that*  
 22           *follows through the period and inserting “such sums as may*  
 23           *be necessary for fiscal year 2008 and each of the 5 suc-*  
 24           *ceeding fiscal years.”.*

1 **SEC. 442. ALLOWANCE FOR BOOKS AND SUPPLIES.**

2       Section 442(c)(4)(D) (42 U.S.C. 2752(c)(4)(D)) is  
3 amended by striking “\$450” and inserting “\$600”.

4 **SEC. 443. GRANTS FOR FEDERAL WORK-STUDY PROGRAMS.**

5       Section 443(b)(2) (42 U.S.C. 2753(b)(2)) is amend-  
6 ed—

7           (1) by striking subparagraph (A);

8           (2) by redesignating subparagraphs (B) and (C)  
9 as subparagraphs (A) and (B), respectively; and

10          (3) in subparagraph (A) (as redesignated by  
11 paragraph (2)), by striking “this subparagraph if”  
12 and all that follows through “institution;” and insert-  
13 ing “this subparagraph if—

14                   “(i) the Secretary determines that en-  
15 forcing this subparagraph would cause  
16 hardship for students at the institution; or

17                   “(ii) the institution certifies to the Sec-  
18 retary that 15 percent or more of its total  
19 full-time enrollment participates in commu-  
20 nity service activities described in section  
21 441(c) or tutoring and literacy activities  
22 described in subsection (d) of this section;”.

23 **SEC. 444. JOB LOCATION AND DEVELOPMENT PROGRAMS.**

24       Section 446(a)(1) (42 U.S.C. 2756(a)(1)) is amended  
25 by striking “\$50,000” and inserting “\$75,000”.

1 **SEC. 445. WORK COLLEGES.**

2 *Section 448 (42 U.S.C. 2756b) is amended—*

3 *(1) in subsection (a), by striking “work-learn-*  
 4 *ing” and inserting “work-learning-service”;*

5 *(2) in subsection (b)—*

6 *(A) in paragraph (1), by striking “under*  
 7 *subsection (f)” and inserting “for this section*  
 8 *under section 441(b)”;* and

9 *(B) in paragraph (2)—*

10 *(i) in the matter preceding subpara-*  
 11 *graph (A), by striking “pursuant to sub-*  
 12 *section (f)” and inserting “for this section*  
 13 *under section 441(b)”;*

14 *(ii) in subparagraph (A), by striking*  
 15 *“work-learning program” and inserting*  
 16 *“comprehensive work-learning-service pro-*  
 17 *gram”;*

18 *(iii) by redesignating subparagraphs*  
 19 *(C) through (F) as subparagraphs (D)*  
 20 *through (G), respectively;*

21 *(iv) by inserting after subparagraph*  
 22 *(B) the following:*

23 *“(C) support existing and new model stu-*  
 24 *dent volunteer community service projects associ-*  
 25 *ated with local institutions of higher education,*  
 26 *such as operating drop-in resource centers that*

are staffed by students and that link people in need with the resources and opportunities necessary to become self-sufficient; and”;

(v) in subparagraph (E) (as redesignated by clause (iii)), by striking “work-learning” each place the term occurs and inserting “work-learning-service”; and

(vi) in subparagraph (F) (as redesignated by clause (iii)), by striking “work service learning” and inserting “work-learning-service”;

(3) in subsection (c), by striking “by subsection (f) to use funds under subsection (b)(1)” and inserting “for this section under section 441(b) or to use funds under subsection (b)(1),”;

(4) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting “4-year, degree-granting” after “nonprofit”;

(ii) in subparagraph (B), by striking “work-learning” and inserting “work-learning-service”;

(iii) by striking subparagraph (C) and inserting the following:

1           “(C) requires all resident students, includ-  
 2           ing at least  $\frac{1}{2}$  of all resident students who are  
 3           enrolled on a full-time basis, to participate in a  
 4           comprehensive work-learning-service program for  
 5           not less than 5 hours each week, or not less than  
 6           80 hours during each period of enrollment except  
 7           summer school, unless the student is engaged in  
 8           a study abroad or externship program that is or-  
 9           ganized or approved by the institution; and”;  
 10          and

11                       (iv) in subparagraph (D), by striking  
 12                       “work-learning” and inserting “work-learn-  
 13                       ing-service”; and

14                       (B) by striking paragraph (2) and inserting  
 15          the following:

16                       “(2) the term ‘comprehensive work-learning-serv-  
 17          ice program’ means a student work-learning-service  
 18          program that—

19                       “(A) is an integral and stated part of the  
 20                       institution’s educational philosophy and pro-  
 21                       gram;

22                       “(B) requires participation of all resident  
 23          students for enrollment and graduation;

“(C) includes learning objectives, evaluation, and a record of work performance as part of the student’s college record;

“(D) provides programmatic leadership by college personnel at levels comparable to traditional academic programs;

“(E) recognizes the educational role of work-learning-service supervisors; and

“(F) includes consequences for nonperformance or failure in the work-learning-service program similar to the consequences for failure in the regular academic program.”; and

(5) by striking subsection (f).

#### **PART D—FEDERAL PERKINS LOANS**

##### **SEC. 451. PROGRAM AUTHORITY.**

Section 461(b)(1) (20 U.S.C. 1087aa(b)(1)) is amended by striking “\$250,000,000 for fiscal year 1999” and all that follows through the period and inserting “such sums as may be necessary for each of the fiscal years 2008 through 2012.”.

##### **SEC. 452. CANCELLATION OF LOANS FOR CERTAIN PUBLIC SERVICE.**

Section 465(a) (20 U.S.C. 1087ee(a)) is amended—  
(1) in paragraph (2)—



1           (A) in subparagraph (B), by striking  
 2           “Head Start Act which” and inserting “Head  
 3           Start Act, or in a prekindergarten or child care  
 4           program that is licensed or regulated by the  
 5           State, that”;

6           (B) in subparagraph (H), by striking “or”  
 7           after the semicolon;

8           (C) in subparagraph (I), by striking the pe-  
 9           riod and inserting a semicolon; and

10          (D) by inserting before the matter following  
 11          subparagraph (I) (as amended by subparagraph  
 12          (C)) the following:

13          “(J) as a full-time faculty member at a Tribal  
 14          College or University, as that term is defined in sec-  
 15          tion 316;

16          “(K) as a librarian, if the librarian has a mas-  
 17          ter’s degree in library science and is employed in—

18               “(i) an elementary school or secondary  
 19               school that is eligible for assistance under title I  
 20               of the Elementary and Secondary Education Act  
 21               of 1965; or

22               “(ii) a public library that serves a geo-  
 23               graphic area that contains 1 or more schools eli-  
 24               gible for assistance under title I of the Elemen-  
 25               tary and Secondary Education Act of 1965; or

“(L) as a full-time speech language therapist, if the therapist has a master’s degree and is working exclusively with schools that are eligible for assistance under title I of the Elementary and Secondary Education Act of 1965.”; and

(2) in paragraph (3)(A)—

(A) in clause (i)—

(i) by inserting “(D),” after “(C),”; and

and

(ii) by striking “or (I)” and inserting

“(I), (J), (K), or (L)”;

(B) in clause (ii), by inserting “or” after

the semicolon;

(C) by striking clause (iii); and

(D) by redesignating clause (iv) as clause

(iii).

## **PART E—NEED ANALYSIS**

### **SEC. 461. COST OF ATTENDANCE.**

(a) AMENDMENTS.—Section 472(3) (20 U.S.C. 1087kk(3)) is amended—

(1) in subparagraph (B), by striking “and” after the semicolon;

(2) by redesignating subparagraph (C) as subparagraph (D); and

1           (3) by inserting after subparagraph (B), as  
2           amended by paragraph (1), the following:

3           “(C) for students who live in housing lo-  
4           cated on a military base or for which a basic al-  
5           lowance is provided under section 403(b) of title  
6           37, United States Code, shall be an allowance  
7           based on the expenses reasonably incurred by  
8           such students for board but not for room; and”.

9           (b) *EFFECTIVE DATE.*—The amendments made by sub-  
10          section (a) shall take effect on July 1, 2008.

11       **SEC. 462. DEFINITIONS.**

12          (a) *AMENDMENT.*—Section 480(b)(6) (20 U.S.C.  
13          1087vv(b)(6)) is amended by inserting “, except that the  
14          value of on-base military housing or the value of basic al-  
15          lowance for housing determined under section 403(b) of title  
16          37, United States Code, received by the parents, in the case  
17          of a dependent student, or the student or student’s spouse,  
18          in the case of an independent student, shall be excluded”  
19          before the semicolon.

20          (b) *EFFECTIVE DATE.*—The amendment made by sub-  
21          section (a) shall take effect on July 1, 2008.

1     **PART F—GENERAL PROVISIONS RELATING TO**  
 2                     **STUDENT ASSISTANCE**

3     **SEC. 471. DEFINITIONS.**

4         Section 481(a)(2)(B) (20 U.S.C. 1088(a)(2)(B)) is  
 5     amended by inserting “and that measures program length  
 6     in credit hours or clock hours” after “baccalaureate degree”.

7     **SEC. 472. COMPLIANCE CALENDAR.**

8         Section 482 (20 U.S.C. 1089) is amended by adding  
 9     at the end the following:

10         “(e) COMPLIANCE CALENDAR.—Prior to the beginning  
 11     of each award year, the Secretary shall provide to institu-  
 12     tions of higher education a list of all the reports and disclo-  
 13     sures required under this Act. The list shall include—

14             “(1) the date each report or disclosure is required  
 15     to be completed and to be submitted, made available,  
 16     or disseminated;

17             “(2) the required recipients of each report or dis-  
 18     closure;

19             “(3) any required method for transmittal or dis-  
 20     semination of each report or disclosure;

21             “(4) a description of the content of each report  
 22     or disclosure sufficient to allow the institution to  
 23     identify the appropriate individuals to be assigned  
 24     the responsibility for such report or disclosure;

1           “(5) references to the statutory authority, appli-  
 2           cable regulations, and current guidance issued by the  
 3           Secretary regarding each report or disclosure; and

4           “(6) any other information which is pertinent to  
 5           the content or distribution of the report or disclo-  
 6           sure.”.

7   **SEC. 473. FORMS AND REGULATIONS.**

8           Section 483 (20 U.S.C. 1090) is amended—

9           (1) by striking subsections (a) and (b) and in-  
 10          serting the following:

11          “(a) *COMMON FINANCIAL AID FORM DEVELOPMENT*  
 12          *AND PROCESSING.*—

13               “(1) *IN GENERAL.*—

14                   “(A) *COMMON FORMS.*—The Secretary, in  
 15                   cooperation with representatives of agencies and  
 16                   organizations involved in student financial as-  
 17                   sistance, shall produce, distribute, and process  
 18                   free of charge common financial reporting forms  
 19                   as described in this subsection to be used to de-  
 20                   termine the need and eligibility of a student for  
 21                   financial assistance under parts A through E of  
 22                   this title (other than under subpart 4 of part A).  
 23                   The forms shall be made available to applicants  
 24                   in both paper and electronic formats.

1           “(B) *FAFSA*.—*The common financial re-*  
 2           *porting forms described in this subsection (ex-*  
 3           *cluding the form described in paragraph (2)(B)),*  
 4           *shall be referred to collectively as the ‘Free Ap-*  
 5           *plication for Federal Student Aid’, or ‘FAFSA’.*

6           “(2) *PAPER FORMAT*.—

7           “(A) *IN GENERAL*.—*The Secretary shall en-*  
 8           *courage applicants to file the electronic versions*  
 9           *of the forms described in paragraph (3), but*  
 10          *shall develop, make available, and process—*

11           “(i) *a paper version of EZ FAFSA, as*  
 12           *described in subparagraph (B); and*

13           “(ii) *a paper version of the other forms*  
 14           *described in this subsection, in accordance*  
 15           *with subparagraph (C), for any applicant*  
 16           *who does not meet the requirements of or*  
 17           *does not wish to use the process described in*  
 18           *subparagraph (B).*

19          “(B) *EZ FAFSA*.—

20           “(i) *IN GENERAL*.—*The Secretary shall*  
 21           *develop and use, after appropriate field test-*  
 22           *ing, a simplified paper application form for*  
 23           *applicants meeting the requirements of sec-*  
 24           *tion 479(c), which form shall be referred to*  
 25           *as the ‘EZ FAFSA’.*

1           “(ii) *REQUIRED FEDERAL DATA ELE-*  
 2           *MENTS.—The Secretary shall include on the*  
 3           *EZ FAFSA only the data elements required*  
 4           *to determine student eligibility and whether*  
 5           *the applicant meets the requirements of sec-*  
 6           *tion 479(c).*

7           “(iii) *REQUIRED STATE DATA ELE-*  
 8           *MENTS.—The Secretary shall include on the*  
 9           *EZ FAFSA such data items as may be nec-*  
 10           *essary to award State financial assistance,*  
 11           *as provided under paragraph (5), except the*  
 12           *Secretary shall not include a State’s data if*  
 13           *that State does not permit its applicants for*  
 14           *State assistance to use the EZ FAFSA.*

15           “(iv) *FREE AVAILABILITY AND DATA*  
 16           *DISTRIBUTION.—The provisions of para-*  
 17           *graphs (6) and (10) shall apply to the EZ*  
 18           *FAFSA.*

19           “(C) *PHASE-OUT OF FULL PAPER FAFSA.—*

20           “(i) *PHASE-OUT OF PRINTING OF FULL*  
 21           *PAPER FAFSA.—At such time as the Sec-*  
 22           *retary determines that it is not cost-effective*  
 23           *to print the full paper version of FAFSA,*  
 24           *the Secretary shall—*

1                   “(I) phase out the printing of the  
2                   full paper version of FAFSA;

3                   “(II) maintain on the Internet  
4                   easily accessible, downloadable formats  
5                   of the full paper version of FAFSA;  
6                   and

7                   “(III) provide a printed copy of  
8                   the full paper version of FAFSA upon  
9                   request.

10                  “(ii) *USE OF SAVINGS.*—The Secretary  
11                  shall utilize any savings realized by phas-  
12                  ing out the printing of the full paper  
13                  version of FAFSA and moving applicants  
14                  to the electronic versions of FAFSA, to im-  
15                  prove access to the electronic versions for  
16                  applicants meeting the requirements of sec-  
17                  tion 479(c).

18                  “(3) *ELECTRONIC VERSIONS.*—

19                         “(A) *IN GENERAL.*—The Secretary shall  
20                         produce, make available through a broadly avail-  
21                         able website, and process electronic versions of  
22                         the FAFSA and the EZ FAFSA.

23                         “(B) *MINIMUM QUESTIONS.*—The Secretary  
24                         shall use all available technology to ensure that  
25                         a student using an electronic version of the



1        *FAFSA under this paragraph answers only the*  
 2        *minimum number of questions necessary.*

3                “(C) *REDUCED REQUIREMENTS.*—*The Sec-*  
 4        *retary shall enable applicants who meet the re-*  
 5        *quirements of subsection (b) or (c) of section 479*  
 6        *to provide information on the electronic version*  
 7        *of the FAFSA only for the data elements re-*  
 8        *quired to determine student eligibility and*  
 9        *whether the applicant meets the requirements of*  
 10       *subsection (b) or (c) of section 479.*

11               “(D) *STATE DATA.*—*The Secretary shall in-*  
 12       *clude on the electronic version of the FAFSA the*  
 13       *questions needed to determine whether the appli-*  
 14       *cant is eligible for State financial assistance, as*  
 15       *provided under paragraph (5), except that the*  
 16       *Secretary shall not—*

17               “(i) *require applicants to complete*  
 18       *data required by any State other than the*  
 19       *applicant’s State of residence; and*

20               “(ii) *include a State’s data if such*  
 21       *State does not permit its applicants for*  
 22       *State assistance to use the electronic version*  
 23       *of the FAFSA described in this paragraph.*

24               “(E) *FREE AVAILABILITY AND DATA DIS-*  
 25       *TRIBUTION.*—*The provisions of paragraphs (6)*

1        *and (10) shall apply to the electronic version of*  
2        *the FAFSA.*

3                “(F) *USE OF FORMS.*—*Nothing in this sub-*  
4        *section shall be construed to prohibit the use of*  
5        *the electronic versions of the forms developed by*  
6        *the Secretary pursuant to this paragraph by an*  
7        *eligible institution, eligible lender, a guaranty*  
8        *agency, a State grant agency, a private com-*  
9        *puter software provider, a consortium of such en-*  
10       *tities, or such other entity as the Secretary may*  
11       *designate. Data collected by the electronic*  
12       *versions of such forms shall be used only for the*  
13       *application, award, and administration of aid*  
14       *awarded under this title, State aid, or aid*  
15       *awarded by eligible institutions or such entities*  
16       *as the Secretary may designate. No data col-*  
17       *lected by such electronic versions of the forms*  
18       *shall be used for making final aid awards under*  
19       *this title until such data have been processed by*  
20       *the Secretary or a contractor or designee of the*  
21       *Secretary, except as may be permitted under this*  
22       *title.*

23                “(G) *PRIVACY.*—*The Secretary shall ensure*  
24        *that data collection under this paragraph com-*  
25       *plies with section 552a of title 5, United States*

1        *Code, and that any entity using an electronic*  
2        *version of a form developed by the Secretary*  
3        *under this paragraph shall maintain reasonable*  
4        *and appropriate administrative, technical, and*  
5        *physical safeguards to ensure the integrity and*  
6        *confidentiality of the information, and to protect*  
7        *against security threats, or unauthorized uses or*  
8        *disclosures of the information provided on the*  
9        *electronic version of the form.*

10        *“(H) SIGNATURE.—Notwithstanding any*  
11        *other provision of this Act, the Secretary may*  
12        *permit an electronic version of a form developed*  
13        *under this paragraph to be submitted without a*  
14        *signature, if a signature is subsequently sub-*  
15        *mitted by the applicant or if the applicant uses*  
16        *a personal identification number provided by the*  
17        *Secretary under subparagraph (I).*

18        *“(I) PERSONAL IDENTIFICATION NUMBERS*  
19        *AUTHORIZED.—The Secretary is authorized to*  
20        *assign to an applicant a personal identification*  
21        *number—*

22                *“(i) to enable the applicant to use such*  
23                *number as a signature for purposes of com-*  
24                *pleting an electronic version of a form de-*  
25                *veloped under this paragraph; and*

1                   “(ii) for any purpose determined by  
2                   the Secretary to enable the Secretary to  
3                   carry out this title.

4                   “(J) *PERSONAL IDENTIFICATION NUMBER*  
5                   *IMPROVEMENT.*—Not later than 180 days after  
6                   the date of enactment of the Higher Education  
7                   Amendments of 2007, the Secretary shall imple-  
8                   ment a real-time data match between the Social  
9                   Security Administration and the Department to  
10                  minimize the time required for an applicant to  
11                  obtain a personal identification number when  
12                  applying for aid under this title through an elec-  
13                  tronic version of a form developed under this  
14                  paragraph.

15                  “(4) *STREAMLINED REAPPLICATION PROCESS.*—

16                  “(A) *IN GENERAL.*—The Secretary shall de-  
17                  velop streamlined paper and electronic re-  
18                  application forms and processes for an applicant  
19                  who applies for financial assistance under this  
20                  title in the next succeeding academic year subse-  
21                  quent to an academic year for which such appli-  
22                  cant applied for financial assistance under this  
23                  title.

24                  “(B) *UPDATING OF DATA ELEMENTS.*—The  
25                  Secretary shall determine, in cooperation with

1       *States, institutions of higher education, agencies,*  
 2       *and organizations involved in student financial*  
 3       *assistance, the data elements that may be trans-*  
 4       *ferred from the previous academic year's appli-*  
 5       *cation and those data elements that shall be up-*  
 6       *dated.*

7               “(C) *REDUCED DATA AUTHORIZED.*—*Noth-*  
 8       *ing in this title shall be construed as limiting the*  
 9       *authority of the Secretary to reduce the number*  
 10       *of data elements required of reapplicants.*

11              “(D) *ZERO FAMILY CONTRIBUTION.*—*Appli-*  
 12       *cants determined to have a zero family contribu-*  
 13       *tion pursuant to section 479(c) shall not be re-*  
 14       *quired to provide any financial data in a re-*  
 15       *application form, except data that are necessary*  
 16       *to determine eligibility under such section.*

17              “(5) *STATE REQUIREMENTS.*—

18              “(A) *IN GENERAL.*—*Except as provided in*  
 19       *paragraphs (2)(B)(iii), (3)(D), and (4)(B), the*  
 20       *Secretary shall include on the forms developed*  
 21       *under this subsection, such State-specific data*  
 22       *items as the Secretary determines are necessary*  
 23       *to meet State requirements for need-based State*  
 24       *aid. Such items shall be selected in consultation*  
 25       *with State agencies in order to assist in the*

1        *awarding of State financial assistance in accord-*  
 2        *ance with the terms of this subsection. The num-*  
 3        *ber of such data items shall not be less than the*  
 4        *number included on the common financial re-*  
 5        *porting form for the 2005–2006 award year un-*  
 6        *less a State notifies the Secretary that the State*  
 7        *no longer requires those data items for the dis-*  
 8        *tribution of State need-based aid.*

9                *“(B) ANNUAL REVIEW.—The Secretary shall*  
 10        *conduct an annual review to determine—*

11                *“(i) which data items each State re-*  
 12                *quires to award need-based State aid; and*

13                *“(ii) if the State will permit an appli-*  
 14                *cant to file a form described in paragraph*  
 15                *(2)(B) or (3)(C).*

16                *“(C) USE OF SIMPLIFIED APPLICATION*  
 17        *FORMS ENCOURAGED.—The Secretary shall en-*  
 18        *courage States to take such steps as are necessary*  
 19        *to encourage the use of simplified forms under*  
 20        *this subsection, including those forms described*  
 21        *in paragraphs (2)(B) and (3)(C), for applicants*  
 22        *who meet the requirements of subsection (b) or*  
 23        *(c) of section 479.*

24                *“(D) CONSEQUENCES IF STATE DOES NOT*  
 25        *ACCEPT SIMPLIFIED FORMS.—If a State does not*

1        *permit an applicant to file a form described in*  
 2        *paragraph (2)(B) or (3)(C) for purposes of deter-*  
 3        *mining eligibility for State need-based financial*  
 4        *aid, the Secretary may determine that State-spe-*  
 5        *cific questions for such State will not be included*  
 6        *on a form described in paragraph (2)(B) or*  
 7        *(3)(B). If the Secretary makes such determina-*  
 8        *tion, the Secretary shall advise the State of the*  
 9        *Secretary's determination.*

10        *“(E) LACK OF STATE RESPONSE TO RE-*  
 11        *QUEST FOR INFORMATION.—If a State does not*  
 12        *respond to the Secretary's request for informa-*  
 13        *tion under subparagraph (B), the Secretary*  
 14        *shall—*

15                *“(i) permit residents of that State to*  
 16                *complete simplified forms under paragraphs*  
 17                *(2)(B) and (3)(B); and*

18                *“(ii) not require any resident of such*  
 19                *State to complete any data items previously*  
 20                *required by that State under this section.*

21        *“(F) RESTRICTION.—The Secretary shall*  
 22        *not require applicants to complete any financial*  
 23        *or non-financial data items that are not re-*  
 24        *quired—*

25                *“(i) by the applicant's State; or*

1 “(ii) by the Secretary.

2 “(6) *CHARGES TO STUDENTS AND PARENTS FOR*  
3 *USE OF FORMS PROHIBITED.*—*The need and eligi-*  
4 *bility of a student for financial assistance under*  
5 *parts A through E (other than under subpart 4 of*  
6 *part A) may be determined only by using a form de-*  
7 *veloped by the Secretary under this subsection. Such*  
8 *forms shall be produced, distributed, and processed by*  
9 *the Secretary, and no parent or student shall be*  
10 *charged a fee by the Secretary, a contractor, a third-*  
11 *party servicer or private software provider, or any*  
12 *other public or private entity for the collection, proc-*  
13 *essing, or delivery of financial aid through the use of*  
14 *such forms. No data collected on a paper or electronic*  
15 *version of a form developed under this subsection, or*  
16 *other document that was created to replace, or used*  
17 *to complete, such a form, and for which a fee was*  
18 *paid, shall be used.*

19 “(7) *RESTRICTIONS ON USE OF PIN.*—*No person,*  
20 *commercial entity, or other entity shall request, ob-*  
21 *tain, or utilize an applicant’s personal identification*  
22 *number assigned under paragraph (3)(I) for purposes*  
23 *of submitting a form developed under this subsection*  
24 *on an applicant’s behalf.*



1           “(8) *APPLICATION PROCESSING CYCLE.*—*The*  
2           *Secretary shall enable students to submit forms devel-*  
3           *oped under this subsection and initiate the processing*  
4           *of such forms under this subsection, as early as prac-*  
5           *ticable prior to January 1 of the student’s planned*  
6           *year of enrollment.*

7           “(9) *EARLY ESTIMATES OF EXPECTED FAMILY*  
8           *CONTRIBUTIONS.*—*The Secretary shall permit an ap-*  
9           *plicant to complete a form described in this subsection*  
10          *in the years prior to enrollment in order to obtain*  
11          *from the Secretary a nonbinding estimate of the ap-*  
12          *plicant’s expected family contribution, computed in*  
13          *accordance with part F. Such applicant shall be per-*  
14          *mitted to update information submitted on a form de-*  
15          *scribed in this subsection using the process required*  
16          *under paragraph (4).*

17          “(10) *DISTRIBUTION OF DATA.*—*Institutions of*  
18          *higher education, guaranty agencies, and States shall*  
19          *receive, without charge, the data collected by the Sec-*  
20          *retary using a form developed under this subsection*  
21          *for the purposes of processing loan applications and*  
22          *determining need and eligibility for institutional and*  
23          *State financial aid awards. Entities designated by*  
24          *institutions of higher education, guaranty agencies, or*  
25          *States to receive such data shall be subject to all the*

1        *requirements of this section, unless such requirements*  
2        *are waived by the Secretary.*

3            “(11) *THIRD PARTY SERVICERS AND PRIVATE*  
4        *SOFTWARE PROVIDERS.—To the extent practicable*  
5        *and in a timely manner, the Secretary shall provide,*  
6        *to private organizations and consortia that develop*  
7        *software used by institutions of higher education for*  
8        *the administration of funds under this title, all the*  
9        *necessary specifications that the organizations and*  
10       *consortia must meet for the software the organizations*  
11       *and consortia develop, produce, and distribute (in-*  
12       *cluding any diskette, modem, or network communica-*  
13       *tions) which are so used. The specifications shall con-*  
14       *tain record layouts for required data. The Secretary*  
15       *shall develop in advance of each processing cycle an*  
16       *annual schedule for providing such specifications. The*  
17       *Secretary, to the extent practicable, shall use multiple*  
18       *means of providing such specifications, including con-*  
19       *ferences and other meetings, outreach, and technical*  
20       *support mechanisms (such as training and printed*  
21       *reference materials). The Secretary shall, from time to*  
22       *time, solicit from such organizations and consortia*  
23       *means of improving the support provided by the Sec-*  
24       *retary.*

1           “(12) *PARENT’S SOCIAL SECURITY NUMBER AND*  
 2           *BIRTH DATE.—The Secretary is authorized to include*  
 3           *space on the forms developed under this subsection for*  
 4           *the social security number and birth date of parents*  
 5           *of dependent students seeking financial assistance*  
 6           *under this title.”;*

7           (2) *by redesignating subsections (c) through (e)*  
 8           *(as amended by section 101(b)(11)) as subsections (b)*  
 9           *through (d), respectively;*

10          (3) *in subsection (c) (as redesignated by para-*  
 11          *graph (2)), by striking “that is authorized” and all*  
 12          *that follows through the period at the end and insert-*  
 13          *ing “or other appropriate provider of technical assist-*  
 14          *ance and information on postsecondary educational*  
 15          *services that is authorized under section 663(a) of the*  
 16          *Individuals with Disabilities Education Act. Not*  
 17          *later than 2 years after the date of enactment of the*  
 18          *Higher Education Amendments of 2007, the Secretary*  
 19          *shall test and implement, to the extent practicable, a*  
 20          *toll-free telephone based system to permit applicants*  
 21          *who meet the requirements of 479(c) to submit an ap-*  
 22          *plication over such system.”;*

23          (4) *by striking subsection (d) (as redesignated by*  
 24          *paragraph (2)) and inserting the following:*

1       “(d) *ASSISTANCE IN PREPARATION OF FINANCIAL AID*  
 2   *APPLICATION.*—

3               “(1) *PREPARATION AUTHORIZED.*—*Notwith-*  
 4       *standing any provision of this Act, an applicant may*  
 5       *use a preparer for consultative or preparation services*  
 6       *for the completion of a form developed under sub-*  
 7       *section (a) if the preparer satisfies the requirements*  
 8       *of this subsection.*

9               “(2) *PREPARER IDENTIFICATION REQUIRED.*—*If*  
 10       *an applicant uses a preparer for consultative or prep-*  
 11       *aration services for the completion of a form devel-*  
 12       *oped under subsection (a), the preparer shall include*  
 13       *the name, signature, address or employer’s address,*  
 14       *social security number or employer identification*  
 15       *number, and organizational affiliation of the pre-*  
 16       *parer on the applicant’s form.*

17               “(3) *ADDITIONAL REQUIREMENTS.*—*A preparer*  
 18       *that provides consultative or preparation services*  
 19       *pursuant to this subsection shall—*

20                       “(A) *clearly inform each individual upon*  
 21       *initial contact, including contact through the*  
 22       *Internet or by telephone, that the FAFSA and*  
 23       *EZ FAFSA may be completed for free via paper*  
 24       *or electronic versions of the forms that are pro-*  
 25       *vided by the Secretary;*

1           “(B) include in any advertising clear and  
2           conspicuous information that the FAFSA and  
3           EZ FAFSA may be completed for free via paper  
4           or electronic versions of the forms that are pro-  
5           vided by the Secretary;

6           “(C) if advertising or providing any infor-  
7           mation on a website, or if providing services  
8           through a website, include on the website a link  
9           to the website described in subsection (a)(3) that  
10          provides the electronic versions of the forms de-  
11          veloped under subsection (a);

12          “(D) refrain from producing or dissemi-  
13          nating any form other than the forms developed  
14          by the Secretary under subsection (a); and

15          “(E) not charge any fee to any individual  
16          seeking services who meets the requirements of  
17          subsection (b) or (c) of section 479.

18          “(4) SPECIAL RULE.—Nothing in this Act shall  
19          be construed to limit preparers of the financial re-  
20          porting forms required to be made under this title  
21          that meet the requirements of this subsection from col-  
22          lecting source information from a student or parent,  
23          including Internal Revenue Service tax forms, in pro-  
24          viding consultative and preparation services in com-  
25          pleting the forms.”; and

1           (5) *by adding at the end the following:*

2           “(e) *EARLY APPLICATION AND AWARD DEMONSTRATION PROGRAM.*—

3           “(1) *PURPOSE.*—*The purpose of the demonstration program implemented under this subsection is to*

4           *determine the feasibility of implementing a comprehensive early application and notification system*

5           *for all dependent students and to measure the benefits and costs of such a system.*

6           “(2) *PROGRAM AUTHORIZED.*—*Not later than 2*

7           *years after the date of enactment of the Higher Education Amendments of 2007, the Secretary shall im-*

8           *plement an early application demonstration program enabling dependent students who wish to participate*

9           *in the program—*

10           “(A) *to complete an application under this*

11           *subsection during the academic year that is 2*

12           *years prior to the year such students plan to enroll in an institution of higher education; and*

13           “(B) *based on the application described in*

14           *subparagraph (A), to obtain, not later than 1*

15           *year prior to the year of the students’ planned enrollment, information on eligibility for Federal*

16           *Pell Grants, Federal student loans under this*

17           *title, and State and institutional financial aid*

1           *for the student's first year of enrollment in an*  
2           *the institution of higher education.*

3           “(3) *EARLY APPLICATION AND AWARD.*—*For all*  
4           *dependent students selected for participation in the*  
5           *demonstration program who submit a completed*  
6           *FAFSA, or, as appropriate, an EZ FAFSA, 2 years*  
7           *prior to the year such students plan to enroll in an*  
8           *institution of higher education, the Secretary shall,*  
9           *not later than 1 year prior to the year of such*  
10          *planned enrollment—*

11           “(A) *provide each student who meets the re-*  
12          *quirements under section 479(c) with a deter-*  
13          *mination of such student's—*

14           “(i) *expected family contribution for*  
15          *the first year of the student's enrollment in*  
16          *an institution of higher education; and*

17           “(ii) *Federal Pell Grant award for the*  
18          *first such year, based on the maximum Fed-*  
19          *eral Pell Grant award at the time of appli-*  
20          *cation;*

21           “(B) *provide each student who does not*  
22          *meet the requirements under section 479(c) with*  
23          *an estimate of such student's—*

1                   “(i) *expected family contribution for*  
 2                   *the first year of the student’s planned en-*  
 3                   *rollment; and*

4                   “(ii) *Federal Pell Grant award for the*  
 5                   *first such year, based on the maximum Fed-*  
 6                   *eral Pell Grant award at the time of appli-*  
 7                   *cation; and*

8                   “(C) *remind the students of the need to up-*  
 9                   *date the students’ information during the cal-*  
 10                  *endar year of enrollment using the expedited re-*  
 11                  *application process provided for in subsection*  
 12                  *(a)(4).*

13                  “(4) *PARTICIPANTS.—The Secretary shall in-*  
 14                  *clude, as participants in the demonstration pro-*  
 15                  *gram—*

16                   “(A) *States selected through the application*  
 17                   *process described in paragraph (5);*

18                   “(B) *institutions of higher education within*  
 19                   *the selected States that are interested in partici-*  
 20                   *pating in the demonstration program, and that*  
 21                   *can make estimates or commitments of institu-*  
 22                   *tional student financial aid, as appropriate, to*  
 23                   *students the year before the students’ planned en-*  
 24                   *rollment date; and*



1           “(C) *secondary schools within the selected*  
 2           *States that are interested in participating in the*  
 3           *demonstration program, and can commit re-*  
 4           *sources to—*

5                     “(i) *advertising the availability of the*  
 6                     *program;*

7                     “(ii) *identifying students who might be*  
 8                     *interested in participating in the program;*

9                     “(iii) *encouraging such students to*  
 10                    *apply; and*

11                    “(iv) *participating in the evaluation of*  
 12                    *the program.*

13           “(5) *APPLICATIONS.—States that are interested*  
 14           *in participating in the demonstration program shall*  
 15           *submit an application, to the Secretary at such time,*  
 16           *in such form, and containing such information as the*  
 17           *Secretary shall require. The application shall in-*  
 18           *clude—*

19                    “(A) *information on the amount of the*  
 20                    *State’s need-based student financial assistance*  
 21                    *available, and the eligibility criteria for receiv-*  
 22                    *ing such assistance;*

23                    “(B) *a commitment to make, not later than*  
 24                    *the year before the dependent students partici-*

1        *pating in the demonstration program plan to en-*  
 2        *roll in an institution of higher education—*

3                *“(i) determinations of State financial*  
 4                *aid awards to dependent students partici-*  
 5                *pating in the program who meet the re-*  
 6                *quirements of section 479(c); and*

7                *“(ii) estimates of State financial aid*  
 8                *awards to other dependent students partici-*  
 9                *pating in the program;*

10              *“(C) a plan for recruiting institutions of*  
 11              *higher education and secondary schools with dif-*  
 12              *ferent demographic characteristics to participate*  
 13              *in the program;*

14              *“(D) a plan for selecting institutions of*  
 15              *higher education and secondary schools to par-*  
 16              *ticipate in the program that—*

17              *“(i) demonstrate a commitment to en-*  
 18              *couraging students to submit a FAFSA, or,*  
 19              *as appropriate, an EZ FAFSA, 2 years be-*  
 20              *fore the students’ planned date of enrollment*  
 21              *in an institution of higher education;*

22              *“(ii) serve different populations of stu-*  
 23              *dents;*

24              *“(iii) in the case of institutions of*  
 25              *higher education—*

1                   “(I) to the extent possible, are of  
2                   varying types and control; and

3                   “(II) commit to making, not later  
4                   than the year prior to the year that de-  
5                   pendent students participating in the  
6                   demonstration program plan to enroll  
7                   in the institution—

8                   “(aa) institutional awards to  
9                   participating dependent students  
10                  who meet the requirements of sec-  
11                  tion 479(c);

12                  “(bb) estimates of institu-  
13                  tional awards to other partici-  
14                  pating dependent students; and

15                  “(cc) expected or tentative  
16                  awards of grants or other finan-  
17                  cial aid available under this title  
18                  (including supplemental grants  
19                  under subpart 3 of part A), for all  
20                  participating dependent students,  
21                  along with information on State  
22                  awards, as provided to the insti-  
23                  tution by the State;

24                  “(E) a commitment to participate in the  
25                  evaluation conducted by the Secretary; and

1           “(F) such other information as the Sec-  
2           retary may require.

3           “(6) SPECIAL PROVISIONS.—

4           “(A) DISCRETION OF STUDENT FINANCIAL  
5           AID ADMINISTRATORS.—A financial aid admin-  
6           istrator at an institution of higher education  
7           participating in a demonstration program under  
8           this subsection may use the discretion provided  
9           under section 479A as necessary in awarding fi-  
10          nancial aid to students participating in the  
11          demonstration program.

12          “(B) WAIVERS.—The Secretary is author-  
13          ized to waive, for an institution participating in  
14          the demonstration program, any requirements  
15          under the title, or regulations prescribed under  
16          this title, that would make the demonstration  
17          program unworkable, except that the Secretary  
18          shall not waive any provisions with respect to  
19          the maximum award amounts for grants and  
20          loans under this title.

21          “(7) OUTREACH.—The Secretary shall make ap-  
22          propriate efforts in order to notify States, institutions  
23          of higher education, and secondary schools of the dem-  
24          onstration program.

1           “(8) *EVALUATION.*—*The Secretary shall conduct*  
2           *a rigorous evaluation of the demonstration program*  
3           *to measure the program’s benefits and adverse effects,*  
4           *as the benefits and effects relate to the purpose of the*  
5           *program described in paragraph (1). In conducting*  
6           *the evaluation, the Secretary shall—*

7                   “(A) *identify whether receiving financial*  
8                   *aid awards or estimates, as applicable, 1 year*  
9                   *prior to the year in which the student plans to*  
10                  *enroll in an institution of higher education, has*  
11                  *a positive impact on the higher education aspi-*  
12                  *rations and plans of such student;*

13                  “(B) *measure the extent to which using a*  
14                  *student’s income information from the year that*  
15                  *is 2 years prior to the student’s planned enroll-*  
16                  *ment date had an impact on the ability of States*  
17                  *and institutions to make financial aid awards*  
18                  *and commitments;*

19                  “(C) *determine what operational changes*  
20                  *would be required to implement the program on*  
21                  *a larger scale;*

22                  “(D) *identify any changes to Federal law*  
23                  *that would be necessary to implement the pro-*  
24                  *gram on a permanent basis; and*

1           “(E) identify the benefits and adverse effects  
 2           of providing early awards or estimates on pro-  
 3           gram costs, program operations, program integ-  
 4           rity, award amounts, distribution, and delivery  
 5           of aid.

6           “(9) CONSULTATION.—The Secretary shall con-  
 7           sult, as appropriate, with the Advisory Committee on  
 8           Student Financial Assistance established under sec-  
 9           tion 491 on the design, implementation, and evalua-  
 10          tion of the demonstration program.

11          “(f) USE OF IRS DATA AND REDUCED INCOME AND  
 12          ASSET INFORMATION TO DETERMINE ELIGIBILITY FOR  
 13          STUDENT FINANCIAL AID.—

14               “(1) FORMATION OF STUDY GROUP.—Not later  
 15               than 180 days after the date of enactment of the  
 16               Higher Education Amendments of 2007, the Comp-  
 17               troller General of the United States and the Secretary  
 18               of Education shall convene a study group whose mem-  
 19               bers shall include the Secretary of the Treasury, the  
 20               Director of the Office of Management and Budget, the  
 21               Director of the Congressional Budget Office, and such  
 22               other individuals as the Comptroller General and Sec-  
 23               retary of Education may designate.

24               “(2) STUDY REQUIRED.—The Comptroller Gen-  
 25               eral and the Secretary, in consultation with the study

1     *group convened under paragraph (1), shall design*  
 2     *and conduct a study to identify and evaluate the*  
 3     *means of simplifying the process of applying for Fed-*  
 4     *eral financial aid available under this title. The*  
 5     *study shall focus on developing alternative approaches*  
 6     *for calculating the expected family contribution that*  
 7     *use substantially less income and asset data than the*  
 8     *methodology currently used, as of the time of the*  
 9     *study, for determining the expected family contribu-*  
 10    *tion.*

11           “(3) *OBJECTIVES OF STUDY.*—*The objectives of*  
 12    *the study required under paragraph (2) are—*

13               “(A) *to shorten the FAFSA and make it*  
 14               *easier and less time-consuming to complete,*  
 15               *thereby increasing higher education access for*  
 16               *low-income students;*

17               “(B) *to examine the feasibility, and evalu-*  
 18               *ate the costs and benefits, of using income data*  
 19               *from the Internal Revenue Service to pre-popu-*  
 20               *late the electronic version of the FAFSA;*

21               “(C) *to determine ways in which to provide*  
 22               *reliable information on the amount of Federal*  
 23               *grant aid and financial assistance a student can*  
 24               *expect to receive, assuming constant income, 2 to*  
 25               *3 years before the student’s enrollment; and*

1           “(D) to simplify the process for determining  
 2           eligibility for student financial aid without caus-  
 3           ing significant redistribution of Federal grants  
 4           and subsidized loans under this title.

5           “(4) *REQUIRED SUBJECTS OF STUDY.*—The  
 6           study required under paragraph (2) shall consider—

7           “(A) how the expected family contribution  
 8           of a student could be calculated using substan-  
 9           tially less income and asset information than the  
 10          approach currently used, as of the time of the  
 11          study, to calculate the expected family contribu-  
 12          tion without causing significant redistribution of  
 13          Federal grants and subsidized loans under this  
 14          title, State aid, or institutional aid, or change in  
 15          the composition of the group of recipients of such  
 16          aid, which alternative approaches for calculating  
 17          the expected family contribution shall, to the ex-  
 18          tent practicable—

19          “(i) rely mainly, in the case of stu-  
 20          dents and parents who file income tax re-  
 21          turns, on information available on the  
 22          1040, 1040EZ, and 1040A; and

23          “(ii) include formulas for adjusting in-  
 24          come or asset information to produce simi-



1            *lar results to the existing approach with less*  
 2            *data;*

3            *“(B) how the Internal Revenue Service can*  
 4            *provide income and other data needed to com-*  
 5            *pute an expected family contribution for tax-*  
 6            *payers and dependents of taxpayers to the Sec-*  
 7            *retary of Education, and when in the applica-*  
 8            *tion cycle the data can be made available;*

9            *“(C) whether data provided by the Internal*  
 10           *Revenue could be used to—*

11           *“(i) prepopulate the electronic version*  
 12           *of the FAFSA with student and parent tax-*  
 13           *payer data; or*

14           *“(ii) generate an expected family con-*  
 15           *tribution without additional action on the*  
 16           *part of the student and taxpayer;*

17           *“(D) the extent to which the use of income*  
 18           *data from 2 years prior to a student’s planned*  
 19           *enrollment date would change the expected fam-*  
 20           *ily contribution computed in accordance with*  
 21           *part F, and potential adjustments to the need*  
 22           *analysis formula that would minimize the*  
 23           *change;*

24           *“(E) the extent to which States and institu-*  
 25           *tions would accept the data provided by the In-*

1        *ternal Revenue Service to prepopulate the elec-*  
2        *tronic version of the FAFSA in determining the*  
3        *distribution of State and institutional student fi-*  
4        *nancial aid funds;*

5                *“(F) the changes to the electronic version of*  
6        *the FAFSA and verification processes that would*  
7        *be needed or could be made if Internal Revenue*  
8        *Service data were used to prepopulate such elec-*  
9        *tronic version;*

10               *“(G) the data elements currently collected,*  
11        *as of the time of the study, on the FAFSA that*  
12        *are needed to determine eligibility for student*  
13        *aid, or to administer Federal student financial*  
14        *aid programs, but are not needed to compute an*  
15        *expected family contribution, such as whether in-*  
16        *formation regarding the student’s citizenship or*  
17        *permanent residency status, registration for se-*  
18        *lective service, or driver’s license number could*  
19        *be reduced without adverse effects;*

20               *“(H) additional steps that can be taken to*  
21        *simplify the financial aid application process for*  
22        *students who (or, in the case of dependent stu-*  
23        *dents, whose parents) are not required to file an*  
24        *income tax return for the prior taxable year;*

1           “(I) information on the State need for and  
2           usage of the full array of income, asset, and  
3           other information currently collected, as of the  
4           time of the study, on the FAFSA, including  
5           analyses of—

6           “(i) what data are currently used by  
7           States to determine eligibility for State stu-  
8           dent financial aid, and whether the data  
9           are used for merit or need-based aid;

10          “(ii) the extent to which the full array  
11          of income and asset information currently  
12          collected on the FAFSA play an important  
13          role in the awarding of need-based State fi-  
14          nancial aid, and whether the State could  
15          use income and asset information that was  
16          more limited to support determinations of  
17          eligibility for such State aid programs;

18          “(iii) whether data are required by  
19          State law, State regulations, or policy di-  
20          rectives;

21          “(iv) what State official has the au-  
22          thority to advise the Department on what  
23          the State requires to calculate need-based  
24          State student financial aid;

1           “(v) the extent to which any State-spe-  
 2           cific information requirements could be met  
 3           by completion of a State application linked  
 4           to the electronic version of the FAFSA; and

5           “(vi) whether the State can use, as of  
 6           the time of the study, or could use, a stu-  
 7           dent’s expected family contribution based on  
 8           data from 2 years prior to the student’s  
 9           planned enrollment date and a calculation  
 10          with reduced data elements and, if not,  
 11          what additional information would be need-  
 12          ed or what changes would be required; and

13          “(J) information on institutional needs, in-  
 14          cluding the extent to which institutions of higher  
 15          education are already using supplemental forms  
 16          to collect additional data from students and their  
 17          families to determine eligibility for institutional  
 18          funds.

19          “(5) *USE OF DATA FROM THE INTERNAL REV-*  
 20          *ENUE SERVICE TO PREPOPULATE FAFSA FORMS.—*  
 21          *After the study required under this subsection has*  
 22          *been completed, the Secretary may use Internal Rev-*  
 23          *enue Service data to prepopulate the electronic*  
 24          *version of the FAFSA if the Secretary, in a joint de-*  
 25          *cision with the Secretary of Treasury, determines that*

1     *such use will not significantly negatively impact stu-*  
 2     *dents, institutions of higher education, States, or the*  
 3     *Federal Government based on each of the following*  
 4     *criteria:*

5             “(A) *Program costs.*

6             “(B) *Redistributive effects on students.*

7             “(C) *Accuracy of aid determinations.*

8             “(D) *Reduction of burden to the FAFSA fil-*  
 9     *ers.*

10            “(E) *Whether all States and institutions*  
 11     *that currently accept the Federal aid formula ac-*  
 12     *cept the use of data from 2 years prior to the*  
 13     *date of a student’s planned enrollment in an in-*  
 14     *stitution of higher education to award Federal,*  
 15     *State, and institutional aid, and as a result will*  
 16     *not require students to complete any additional*  
 17     *forms to receive this aid.*

18            “(6) *CONSULTATION.—The Secretary shall con-*  
 19     *sult with the Advisory Committee on Student Finan-*  
 20     *cial Assistance established under section 491 as ap-*  
 21     *propriate in carrying out this subsection.*

22            “(7) *REPORT.—Not later than 18 months after*  
 23     *the date of enactment of the Higher Education*  
 24     *Amendments of 2007, the Comptroller General and*  
 25     *the Secretary shall prepare and submit a report on*

1       *the results of the study required under this subsection*  
 2       *to the authorizing committees.”.*

3   **SEC. 474. STUDENT ELIGIBILITY.**

4       *(a) AMENDMENTS.—Section 484 (20 U.S.C. 1091) is*  
 5   *amended—*

6           *(1) in subsection (d), by adding at the end the*  
 7   *following:*

8           *“(4) The student shall be determined by the in-*  
 9   *stitution of higher education as having the ability to*  
 10   *benefit from the education or training offered by the*  
 11   *institution of higher education, upon satisfactory*  
 12   *completion of 6 credit hours or the equivalent*  
 13   *coursework that are applicable toward a degree or cer-*  
 14   *tificate offered by the institution of higher edu-*  
 15   *cation.”;*

16           *(2) by striking subsection (l) and inserting the*  
 17   *following:*

18       *“(l) COURSES OFFERED THROUGH DISTANCE EDU-*  
 19   *CATION.—*

20           *“(1)       RELATION       TO       CORRESPONDENCE*  
 21   *COURSES.—*

22           *“(A) IN GENERAL.—A student enrolled in a*  
 23   *course of instruction at an institution of higher*  
 24   *education that is offered principally through dis-*  
 25   *tance education and leads to a recognized certifi-*

1        *cate, or associate, baccalaureate, or graduate de-*  
 2        *gree, conferred by such institution, shall not be*  
 3        *considered to be enrolled in correspondence*  
 4        *courses.*

5            *“(B) EXCEPTION.—An institution of higher*  
 6        *education referred to in subparagraph (A) shall*  
 7        *not include an institution or school described in*  
 8        *section 3(3)(C) of the Carl D. Perkins Career*  
 9        *and Technical Education Act of 2006.*

10          *“(2) RESTRICTION OR REDUCTIONS OF FINAN-*  
 11        *CIAL AID.—A student’s eligibility to receive grants,*  
 12        *loans, or work assistance under this title shall be re-*  
 13        *duced if a financial aid officer determines under the*  
 14        *discretionary authority provided in section 479A that*  
 15        *distance education results in a substantially reduced*  
 16        *cost of attendance to such student.*

17          *“(3) SPECIAL RULE.—For award years prior to*  
 18        *July 1, 2008, the Secretary shall not take any compli-*  
 19        *ance, disallowance, penalty, or other action against a*  
 20        *student or an eligible institution when such action*  
 21        *arises out of such institution’s prior award of student*  
 22        *assistance under this title if the institution dem-*  
 23        *onstrates to the satisfaction of the Secretary that its*  
 24        *course of instruction would have been in conformance*  
 25        *with the requirements of this subsection.”; and*

1           (3) *by adding at the end the following:*

2           “(s) *STUDENTS WITH INTELLECTUAL DISABILITIES.—*  
 3 *Notwithstanding subsection (a), in order to receive any*  
 4 *grant or work assistance under subparts 1 and 3 of part*  
 5 *A and part C of this title, a student with an intellectual*  
 6 *disability shall—*

7           “(1) *be an individual with an intellectual dis-*  
 8 *ability whose mental retardation or other significant*  
 9 *cognitive impairment substantially impacts the indi-*  
 10 *vidual’s intellectual and cognitive functioning;*

11           “(2)(A) *be a student eligible for assistance under*  
 12 *the Individuals with Disabilities Education Act*  
 13 *who—*

14           “(i) *has completed secondary school with a*  
 15 *diploma or certificate; or*

16           “(ii) *has completed secondary school; or*

17           “(B) *be an individual who is no longer eligible*  
 18 *for assistance under the Individuals with Disabilities*  
 19 *Education Act because the individual has exceeded the*  
 20 *maximum age for which the State provides a free ap-*  
 21 *propriate public education;*

22           “(3) *be enrolled or accepted for enrollment in a*  
 23 *comprehensive transition and postsecondary edu-*  
 24 *cation program that—*



1           “(A) is designed for students with an intel-  
 2           lectual disability who are seeking to continue  
 3           academic, vocational, and independent living in-  
 4           struction at the institution in order to prepare  
 5           for gainful employment and independent living;

6           “(B) includes an advising and curriculum  
 7           structure;

8           “(C) requires students to participate on at  
 9           least a half-time basis, as determined by the in-  
 10          stitution; or

11          “(D) includes—

12           “(i) regular enrollment in courses of-  
 13           fered by the institution;

14           “(ii) auditing or participating in  
 15           courses offered by the institution for which  
 16           the student does not receive regular aca-  
 17           demic credit;

18           “(iii) enrollment in noncredit, non-  
 19           degree courses;

20           “(iv) participation in internships; or

21           “(v) a combination of 2 or more of the  
 22           activities described in clauses (i) through  
 23           (iv);

24          “(4) be maintaining satisfactory progress in the  
 25          program as determined by the institution, in accord-

1        *ance with standards established by the institution;*  
 2        *and*

3            *“(5) meet the requirements of paragraphs (3),*  
 4        *(4), (5), and (6) of subsection (a).”.*

5        *(b) EFFECTIVE DATE.—The amendments made by sub-*  
 6        *section (a) shall take affect on July 1, 2008.*

7        **SEC. 475. STATUTE OF LIMITATIONS AND STATE COURT**  
 8            **JUDGMENTS.**

9        *Section 484A (20 U.S.C. 1091a) is amended—*

10            *(1) in subsection (b)—*

11                    *(A) in paragraph (1), by striking “and”*  
 12            *after the semicolon;*

13                    *(B) in paragraph (2), by striking the period*  
 14            *and inserting “; and”; and*

15                    *(C) by adding at the end the following:*

16                    *“(3) in collecting any obligation arising from a*  
 17        *loan made under part E of this title, an institution*  
 18        *of higher education that has an agreement with the*  
 19        *Secretary pursuant to section 463(a) shall not be sub-*  
 20        *ject to a defense raised by any borrower based on a*  
 21        *claim of infancy.”; and*

22                    *(2) by adding at the end the following:*

23                    *“(d) SPECIAL RULE.—This section shall not apply in*  
 24        *the case of a student who is deceased or to a deceased stu-*  
 25        *dent’s estate or the estate of such student’s family. If a stu-*

1 *dent is deceased, then the student's estate or the estate of*  
 2 *the student's family shall not be required to repay any fi-*  
 3 *nancial assistance under this title, including interest paid*  
 4 *on the student's behalf, collection costs, or other charges*  
 5 *specified in this title."*

6 **SEC. 476. INSTITUTIONAL REFUNDS.**

7       (a) *AMENDMENT.*—Section 484B(c)(2) (20 U.S.C.  
 8 1091B(c)(2)) is amended by striking “may determine the  
 9 appropriate withdrawal date.” and inserting “may deter-  
 10 mine—

11                       “(A) the appropriate withdrawal date; and

12                       “(B) that the requirements of subsection

13                       (b)(2) do not apply to the student.”.

14       (b) *EFFECTIVE DATE.*—The amendment made by sub-  
 15 section (a) shall take effect on July 1, 2008.

16 **SEC. 477. INSTITUTIONAL AND FINANCIAL ASSISTANCE IN-**  
 17 **FORMATION FOR STUDENTS.**

18       Section 485 (20 U.S.C. 1092) is amended—

19               (1) in subsection (a)—

20                       (A) in paragraph (1)—

21                               (i) by striking subparagraph (M) and  
 22                               inserting the following:

23                               “(M) the terms and conditions of the loans  
 24                               that students receive under parts B, D, and E;”;

1                   (ii) in subparagraph (N), by striking  
2                   “and” after the semicolon;

3                   (iii) in subparagraph (O), by striking  
4                   the period and inserting a semicolon; and

5                   (iv) by adding at the end the following:

6                   “(P) institutional policies and sanctions re-  
7                   lated to copyright infringement that inform stu-  
8                   dents that unauthorized distribution of copy-  
9                   righted material on the institution’s information  
10                  technology systems, including engaging in unau-  
11                  thorized peer-to-peer file sharing, may subject the  
12                  students to civil and criminal penalties;”

13                  “(Q) student body diversity at the institu-  
14                  tion, including information on the percentage of  
15                  enrolled, full-time students who are—

16                       “(i) male;

17                       “(ii) female;

18                       “(iii) from a low-income background;

19                       and

20                       “(iv) a self-identified member of a  
21                       major racial or ethnic group;

22                       “(R) the placement in employment of, and  
23                       types of employment obtained by, graduates of  
24                       the institution’s degree or certificate programs,  
25                       gathered from such sources as alumni surveys,

1        *student satisfaction surveys, the National Survey*  
 2        *of Student Engagement, the Community College*  
 3        *Survey of Student Engagement, State data sys-*  
 4        *tems, or other relevant sources;*

5                *“(S) the types of graduate and professional*  
 6        *education in which graduates of the institution’s*  
 7        *4-year degree programs enrolled, gathered from*  
 8        *such sources as alumni surveys, student satisfac-*  
 9        *tion surveys, the National Survey of Student En-*  
 10        *gagement, State data systems, or other relevant*  
 11        *sources; and*

12                *“(T) the fire safety report prepared by the*  
 13        *institution pursuant to subsection (i).”;*

14                *(B) by striking paragraph (4) and inserting*  
 15        *the following:*

16                *“(4) For purposes of this section, institutions*  
 17        *may—*

18                *“(A) exclude from the information disclosed*  
 19        *in accordance with subparagraph (L) of para-*  
 20        *graph (1) the completion or graduation rates of*  
 21        *students who leave school to serve in the Armed*  
 22        *Forces, on official church missions, or with a*  
 23        *recognized foreign aid service of the Federal Gov-*  
 24        *ernment; or*

1           “(B) in cases where the students described  
 2           in subparagraph (A) represent 20 percent or  
 3           more of the certificate- or degree-seeking, full-  
 4           time, undergraduate students at the institution,  
 5           the institution may recalculate the completion or  
 6           graduation rates of such students by excluding  
 7           from the calculation described in paragraph (3)  
 8           the time period such students were not enrolled  
 9           due to their service in the Armed Forces, on offi-  
 10          cial church missions, or with a recognized for-  
 11          eign aid service of the Federal Government.”;  
 12          and

13           (C) by adding at the end the following:

14          “(7) The information disclosed under subparagraph  
 15          (L) of paragraph (1), or reported under subsection (e), shall  
 16          include information disaggregated by gender, by each major  
 17          racial and ethnic subgroup, by recipients of a Federal Pell  
 18          Grant, by recipients of a loan made under this part or part  
 19          D (other than a loan made under section 428H or a Federal  
 20          Direct Unsubsidized Stafford Loan) who did not receive a  
 21          Federal Pell Grant, and by recipients of neither a Federal  
 22          Pell Grant nor a loan made under this part or part D  
 23          (other than a loan made under section 428H or a Federal  
 24          Direct Unsubsidized Stafford Loan), if the number of stu-  
 25          dents in such subgroup or with such status is sufficient to

1 *yield statistically reliable information and reporting would*  
 2 *not reveal personally identifiable information about an in-*  
 3 *dividual student. If such number is not sufficient for such*  
 4 *purposes, then the institution shall note that the institution*  
 5 *enrolled too few of such students to so disclose or report with*  
 6 *confidence and confidentiality.”;*

7 (2) *in subsection (b)—*

8 (A) *in paragraph (1)(A), by striking the*  
 9 *subparagraph designation and all that follows*  
 10 *through “465.” and inserting the following:*

11 “(A) *Each eligible institution shall, through*  
 12 *financial aid offices or otherwise, provide coun-*  
 13 *seling to borrowers of loans that are made, in-*  
 14 *sured, or guaranteed under part B (other than*  
 15 *loans made pursuant to section 428C or loans*  
 16 *made to parents pursuant to section 428B), or*  
 17 *made under part D (other than Federal Direct*  
 18 *Consolidation Loans or Federal Direct PLUS*  
 19 *Loans made to parents) or E, prior to the com-*  
 20 *pletion of the course of study for which the bor-*  
 21 *rower enrolled at the institution or at the time*  
 22 *of departure from such institution. The coun-*  
 23 *seling required by this subsection shall include—*

24 “(i) *information on the repayment*  
 25 *plans available, including a discussion of*

1           *the different features of each plan and sam-*  
 2           *ple information showing the difference in*  
 3           *interest paid and total payments under*  
 4           *each plan;*

5           “(ii) *the average anticipated monthly*  
 6           *repayments under the standard repayment*  
 7           *plan and, at the borrower’s request, the*  
 8           *other repayment plans for which the bor-*  
 9           *rower is eligible;*

10          “(iii) *such debt and management strat-*  
 11          *egies as the institution determines are de-*  
 12          *signed to facilitate the repayment of such*  
 13          *indebtedness;*

14          “(iv) *an explanation that the borrower*  
 15          *has the ability to prepay each such loan,*  
 16          *pay the loan on a shorter schedule, and*  
 17          *change repayment plans;*

18          “(v) *the terms and conditions under*  
 19          *which the student may obtain full or par-*  
 20          *tial forgiveness or cancellation of principal*  
 21          *or interest under sections 428J, 460, and*  
 22          *465 (to the extent that such sections are ap-*  
 23          *plicable to the student’s loans);*

24          “(vi) *the terms and conditions under*  
 25          *which the student may defer repayment of*



principal or interest or be granted forbearance under subsections (b)(1)(M) and (o) of section 428, 428H(e)(7), subsections (f) and (l) of section 455, and section 464(c)(2), and the potential impact of such deferment or forbearance;

“(vii) the consequences of default on such loans;

“(viii) information on the effects of using a consolidation loan to discharge the borrower’s loans under parts B, D, and E, including, at a minimum—

“(I) the effects of consolidation on total interest to be paid, fees to be paid, and length of repayment;

“(II) the effects of consolidation on a borrower’s underlying loan benefits, including all grace periods, loan forgiveness, cancellation, and deferment opportunities;

“(III) the ability of the borrower to prepay the loan or change repayment plans; and

1                   “(IV) that borrower benefit pro-  
 2                   grams may vary among different loan  
 3                   holders; and

4                   “(ix) a notice to borrowers about the  
 5                   availability of the National Student Loan  
 6                   Data System and how the system can be  
 7                   used by a borrower to obtain information  
 8                   on the status of the borrower’s loans.”; and  
 9                   (B) by adding at the end the following:

10                  “(3) Each eligible institution shall, during the  
 11                  exit interview required by this subsection, provide to  
 12                  a borrower of a loan made under part B, D, or E a  
 13                  clear and conspicuous notice describing the general ef-  
 14                  fects of using a consolidation loan to discharge the  
 15                  borrower’s student loans, including—

16                       “(A) the effects of consolidation on total in-  
 17                       terest to be paid, fees to be paid, and length of  
 18                       repayment;

19                       “(B) the effects of consolidation on a bor-  
 20                       rower’s underlying loan benefits, including loan  
 21                       forgiveness, cancellation, and deferment;

22                       “(C) the ability for the borrower to prepay  
 23                       the loan, pay on a shorter schedule, and to  
 24                       change repayment plans, and that borrower ben-

1        *efit programs may vary among different loan*  
 2        *holders;*

3                *“(D) a general description of the types of*  
 4        *tax benefits which may be available to borrowers*  
 5        *of student loans; and*

6                *“(E) the consequences of default.”;*

7        *(3) in subsection (d)(2)—*

8                *(A) by inserting “grant assistance, as well*  
 9        *as State” after “describing State”; and*

10                *(B) by inserting “and other means, includ-*  
 11        *ing through the Internet” before the period at the*  
 12        *end;*

13        *(4) in subsection (e), by striking paragraph (3)*  
 14        *and inserting the following:*

15                *“(3) For purposes of this subsection, institutions*  
 16        *may—*

17                *“(A) exclude from the reporting require-*  
 18        *ments under paragraphs (1) and (2) the comple-*  
 19        *tion or graduation rates of students and student*  
 20        *athletes who leave school to serve in the Armed*  
 21        *Forces, on official church missions, or with a*  
 22        *recognized foreign aid service of the Federal Gov-*  
 23        *ernment; or*

24                *“(B) in cases where the students described*  
 25        *in subparagraph (A) represent 20 percent or*

1        *more of the certificate- or degree-seeking, full-*  
 2        *time, undergraduate students at the institution,*  
 3        *the institution may calculate the completion or*  
 4        *graduation rates of such students by excluding*  
 5        *from the calculations described in paragraph (1)*  
 6        *the time period such students were not enrolled*  
 7        *due to their service in the Armed Forces, on offi-*  
 8        *cial church missions, or with a recognized for-*  
 9        *ign aid service of the Federal Government.”;*

10        *(5) in subsection (f)—*

11                *(A) in paragraph (1)—*

12                        *(i) the matter preceding subparagraph*  
 13                        *(A), by inserting “, other than a foreign in-*  
 14                        *stitution of higher education,” after “under*  
 15                        *this title”; and*

16                        *(ii) by adding at the end the following:*

17                        *“(J) A statement of current campus policies*  
 18                        *regarding immediate emergency response and*  
 19                        *evacuation procedures, including the use of elec-*  
 20                        *tronic and cellular communication (if appro-*  
 21                        *priate), which policies shall include procedures—*

22                                *“(i) to notify the campus community*  
 23                                *in a reasonable and timely manner in the*  
 24                                *event of a significant emergency or dan-*  
 25                                *gerous situation, involving an immediate*

1           *threat to the health or safety of students or*  
 2           *staff, occurring on the campus;*

3           “(ii) to publicize emergency response  
 4           and evacuation procedures on an annual  
 5           basis in a manner designed to reach stu-  
 6           dents and staff; and

7           “(iii) to test emergency response and  
 8           evacuation procedures on an annual basis.”;

9           (B) by redesignating paragraph (15) as  
 10          paragraph (17); and

11          (C) by inserting after paragraph (14) the  
 12          following:

13          “(15) COMPLIANCE REPORT.—The Secretary  
 14          shall annually report to the authorizing committees  
 15          regarding compliance with this subsection by institu-  
 16          tions of higher education, including an up-to-date re-  
 17          port on the Secretary’s monitoring of such compli-  
 18          ance.

19          “(16) BEST PRACTICES.—The Secretary may  
 20          seek the advice and counsel of the Attorney General  
 21          concerning the development, and dissemination to in-  
 22          stitutions of higher education, of best practices infor-  
 23          mation about campus safety and emergencies.”; and

24          (6) by adding at the end the following:

25          “(h) TRANSFER OF CREDIT POLICIES.—

1           “(1) *DISCLOSURE.*—*Each institution of higher*  
 2           *education participating in any program under this*  
 3           *title shall publicly disclose in a readable and com-*  
 4           *prehensible manner the institution’s transfer of credit*  
 5           *policies which shall include a statement of the institu-*  
 6           *tion’s current transfer of credit policies that includes,*  
 7           *at a minimum—*

8                       “(A) *a statement of whether the institution*  
 9                       *denies a transfer of credit solely on the basis of*  
 10                      *the agency or association that accredited such*  
 11                      *other institution of higher education; and*

12                     “(B) *a list of institutions of higher edu-*  
 13                     *cation with which the institution has established*  
 14                     *an articulation agreement.*

15           “(2) *RULE OF CONSTRUCTION.*—*Nothing in this*  
 16           *subsection shall be construed to—*

17                     “(A) *authorize the Secretary or the Accredi-*  
 18                     *tation and Institutional Quality and Integrity*  
 19                     *Advisory Committee to require particular poli-*  
 20                     *cies, procedures, or practices by institutions of*  
 21                     *higher education with respect to transfer of cred-*  
 22                     *it;*

23                     “(B) *authorize an officer or employee of the*  
 24                     *Department to exercise any direction, super-*  
 25                     *vision, or control over the curriculum, program*

1       *of instruction, administration, or personnel of*  
 2       *any institution of higher education, or over any*  
 3       *accrediting agency or association;*

4               “(C) *limit the application of the General*  
 5       *Education Provisions Act; or*

6               “(D) *create any legally enforceable right on*  
 7       *the part of a student to require an institution of*  
 8       *higher education to accept a transfer of credit*  
 9       *from another institution.*

10       “(i) *DISCLOSURE OF FIRE SAFETY STANDARDS AND*  
 11       *MEASURES.—*

12               “(1) *ANNUAL FIRE SAFETY REPORTS ON STU-*  
 13       *DENT HOUSING REQUIRED.—Each eligible institution*  
 14       *participating in any program under this title shall,*  
 15       *on an annual basis, publish a fire safety report,*  
 16       *which shall contain information with respect to the*  
 17       *campus fire safety practices and standards of that in-*  
 18       *stitution, including—*

19               “(A) *statistics concerning the following in*  
 20       *each on-campus student housing facility during*  
 21       *the most recent calendar years for which data*  
 22       *are available—*

23               “(i) *the number of fires and the cause*  
 24       *of each fire;*

1                   “(ii) the number of injuries related to  
2                   a fire that result in treatment at a medical  
3                   facility;

4                   “(iii) the number of deaths related to a  
5                   fire; and

6                   “(iv) the value of property damage  
7                   caused by a fire;

8                   “(B) a description of each on-campus stu-  
9                   dent housing facility fire safety system, includ-  
10                  ing the fire sprinkler system;

11                  “(C) the number of regular mandatory su-  
12                  pervised fire drills;

13                  “(D) policies or rules on portable electrical  
14                  appliances, smoking, and open flames (such as  
15                  candles), procedures for evacuation, and policies  
16                  regarding fire safety education and training pro-  
17                  grams provided to students, faculty, and staff;  
18                  and

19                  “(E) plans for future improvements in fire  
20                  safety, if determined necessary by such institu-  
21                  tion.

22                  “(2) REPORT TO THE SECRETARY.—Each eligi-  
23                  ble institution participating in any program under  
24                  this title shall, on an annual basis submit to the Sec-



1        *retary a copy of the statistics required to be made*  
 2        *available under subparagraph (A).*

3                *“(3) CURRENT INFORMATION TO CAMPUS COMMU-*  
 4        *NITY.—Each institution participating in any pro-*  
 5        *gram under this title shall—*

6                *“(A) make, keep, and maintain a log, re-*  
 7        *cording all fires in on-campus student housing*  
 8        *facilities, including the nature, date, time, and*  
 9        *general location of each fire; and*

10               *“(B) make annual reports to the campus*  
 11        *community on such fires.*

12               *“(4) RESPONSIBILITIES OF THE SECRETARY.—*  
 13        *The Secretary shall—*

14               *“(A) make such statistics submitted to the*  
 15        *Secretary available to the public; and*

16               *“(B) in coordination with nationally recog-*  
 17        *nized fire organizations and representatives of*  
 18        *institutions of higher education, representatives*  
 19        *of associations of institutions of higher edu-*  
 20        *cation, and other organizations that represent*  
 21        *and house a significant number of students—*

22               *“(i) identify exemplary fire safety poli-*  
 23        *cies, procedures, programs, and practices;*

1                   “(ii) disseminate information to the  
2                   Administrator of the United States Fire Ad-  
3                   ministration;

4                   “(iii) make available to the public in-  
5                   formation concerning those policies, proce-  
6                   dures, programs, and practices that have  
7                   proven effective in the reduction of fires;  
8                   and

9                   “(iv) develop a protocol for institutions  
10                  to review the status of their fire safety sys-  
11                  tems.

12               “(5) *RULES OF CONSTRUCTION.*—Nothing in this  
13               subsection shall be construed to—

14               “(A) authorize the Secretary to require par-  
15               ticular policies, procedures, programs, or prac-  
16               tices by institutions of higher education with re-  
17               spect to fire safety, other than with respect to the  
18               collection, reporting, and dissemination of infor-  
19               mation required by this subsection;

20               “(B) affect the *Family Educational Rights*  
21               *and Privacy Act of 1974* or the regulations  
22               issued under section 264 of the *Health Insurance*  
23               *Portability and Accountability Act of 1996* (42  
24               U.S.C. 1320d–2 note);

1           “(C) create a cause of action against any  
 2           institution of higher education or any employee  
 3           of such an institution for any civil liability; and

4           “(D) establish any standard of care.

5           “(6) COMPLIANCE REPORT.—The Secretary shall  
 6           annually report to the authorizing committees regard-  
 7           ing compliance with this subsection by institutions of  
 8           higher education, including an up-to-date report on  
 9           the Secretary’s monitoring of such compliance.

10          “(7) EVIDENCE.—Notwithstanding any other  
 11          provision of law, evidence regarding compliance or  
 12          noncompliance with this subsection shall not be ad-  
 13          missible as evidence in any proceeding of any court,  
 14          agency, board, or other entity, except with respect to  
 15          an action to enforce this subsection.”.

16 **SEC. 478. ENTRANCE COUNSELING REQUIRED.**

17          Section 485 (as amended by section 477) is further  
 18          amended—

19               (1) by redesignating subsections (b) through (i)  
 20               as subsections (c) through (j), respectively; and

21               (2) by inserting after subsection (a) the fol-  
 22               lowing:

23               “(b) ENTRANCE COUNSELING FOR BORROWERS.—

24                       “(1) DISCLOSURE REQUIRED PRIOR TO DIS-  
 25                       BURSEMENT.—

1           “(A) *IN GENERAL.*—Each eligible institu-  
 2           tion shall, at or prior to the time of a disburse-  
 3           ment to a first-time student borrower of a loan  
 4           made, insured, or guaranteed under part B or D,  
 5           ensure that the borrower receives comprehensive  
 6           information on the terms and conditions of the  
 7           loan and the responsibilities the borrower has  
 8           with respect to such loan. Such information shall  
 9           be provided in simple and understandable terms  
 10          and may be provided—

11                 “(i) *during an entrance counseling ses-*  
 12                 *sion conducted in person;*

13                 “(ii) *on a separate written form pro-*  
 14                 *vided to the borrower that the borrower*  
 15                 *signs and returns to the institution; or*

16                 “(iii) *online, with the borrower ac-*  
 17                 *knowledging receipt and understanding of*  
 18                 *the information.*

19           “(B) *USE OF INTERACTIVE PROGRAMS.*—  
 20           The Secretary shall encourage institutions to  
 21           carry out the requirements of subparagraph (A)  
 22           through the use of interactive programs that test  
 23           the borrowers’ understanding of the terms and  
 24           conditions of the borrowers’ loans under part B

1           or *D*, using comprehensible language and dis-  
 2           plays with clear formatting.

3           “(2) *INFORMATION TO BE PROVIDED.*—*The infor-*  
 4           *mation provided to the borrower under paragraph*  
 5           *(1)(A) shall include—*

6                   “(A) *an explanation of the use of the Master*  
 7           *Promissory Note;*

8                   “(B) *in the case of a loan made under sec-*  
 9           *tion 428B or 428H, a Federal Direct PLUS*  
 10           *Loan, or a Federal Direct Unsubsidized Stafford*  
 11           *Loan—*

12                   “(i) *the ability of the borrower to pay*  
 13           *the interest while the borrower is in school;*  
 14           *and*

15                   “(ii) *how often interest is capitalized;*

16                   “(C) *the definition of half-time enrollment*  
 17           *at the institution, during regular terms and*  
 18           *summer school, if applicable, and the con-*  
 19           *sequences of not maintaining half-time enroll-*  
 20           *ment;*

21                   “(D) *an explanation of the importance of*  
 22           *contacting the appropriate institutional offices if*  
 23           *the borrower withdraws prior to completing the*  
 24           *borrower’s program of study so that the institu-*  
 25           *tion can provide exit counseling, including infor-*

1            *mation regarding the borrower’s repayment op-*  
 2            *tions and loan consolidation;*

3            *“(E) the obligation of the borrower to repay*  
 4            *the full amount of the loan even if the borrower*  
 5            *does not complete the program in which the bor-*  
 6            *rower is enrolled;*

7            *“(F) information on the National Student*  
 8            *Loan Data System and how the borrower can*  
 9            *access the borrower’s records; and*

10           *“(G) the name of an individual the bor-*  
 11           *rower may contact if the borrower has any ques-*  
 12           *tions about the borrower’s rights and responsibil-*  
 13           *ities or the terms and conditions of the loan.”.*

14    **SEC. 479. NATIONAL STUDENT LOAN DATA SYSTEM.**

15           *Section 485B (20 U.S.C. 1092b) is amended—*

16           *(1) in subsection (a)—*

17           *(A) by redesignating paragraphs (6)*  
 18           *through (10) as paragraphs (7) through (11), re-*  
 19           *spectively;*

20           *(B) in paragraph (5) (as added by Public*  
 21           *Law 101–610), by striking “effectiveness.” and*  
 22           *inserting “effectiveness;”; and*

23           *(C) by redesignating paragraph (5) (as*  
 24           *added by Public Law 101–234) as paragraph*  
 25           *(6);*

1           (2) by redesignating subsections (d) through (g)  
2           as subsections (e) through (h), respectively; and

3           (3) by inserting after subsection (c) the fol-  
4           lowing:

5           “(d) *PRINCIPLES FOR ADMINISTERING THE DATA SYS-*  
6           *TEM.—In managing the National Student Loan Data Sys-*  
7           *tem, the Secretary shall take actions necessary to maintain*  
8           *confidence in the data system, including, at a minimum—*

9           “(1) *ensuring that the primary purpose of access*  
10          *to the data system by guaranty agencies, eligible lend-*  
11          *ers, and eligible institutions of higher education is for*  
12          *legitimate program operations, such as the need to*  
13          *verify the eligibility of a student, potential student, or*  
14          *parent for loans under part B, D, or E;*

15          “(2) *prohibiting nongovernmental researchers*  
16          *and policy analysts from accessing personally identi-*  
17          *fiable information;*

18          “(3) *creating a disclosure form for students and*  
19          *potential students that is distributed when such stu-*  
20          *dents complete the common financial reporting form*  
21          *under section 483, and as a part of the exit coun-*  
22          *seling process under section 485(b), that—*

23                 “(A) *informs the students that any title IV*  
24                 *grant or loan the students receive will be in-*  
25                 *cluded in the National Student Loan Data Sys-*

1           *tem, and instructs the students on how to access*  
 2           *that information;*

3           *“(B) describes the categories of individuals*  
 4           *or entities that may access the data relating to*  
 5           *such grant or loan through the data system, and*  
 6           *for what purposes access is allowed;*

7           *“(C) defines and explains the categories of*  
 8           *information included in the data system;*

9           *“(D) provides a summary of the provisions*  
 10          *of the Family Educational Rights and Privacy*  
 11          *Act of 1974 and other applicable Federal privacy*  
 12          *statutes, and a statement of the students’ rights*  
 13          *and responsibilities with respect to such statutes;*

14          *“(E) explains the measures taken by the De-*  
 15          *partment to safeguard the students’ data; and*

16          *“(F) includes other information as deter-*  
 17          *mined appropriate by the Secretary;*

18          *“(4) requiring guaranty agencies, eligible lend-*  
 19          *ers, and eligible institutions of higher education that*  
 20          *enter into an agreement with a potential student, stu-*  
 21          *dent, or parent of such student regarding a loan*  
 22          *under part B, D, or E, to inform the student or par-*  
 23          *ent that such loan shall be—*

24          *“(A) submitted to the data system; and*



1           “(B) accessible to guaranty agencies, eligible  
2           lenders, and eligible institutions of higher edu-  
3           cation determined by the Secretary to be author-  
4           ized users of the data system;

5           “(5) regularly reviewing the data system to—

6           “(A) delete inactive users from the data sys-  
7           tem;

8           “(B) ensure that the data in the data sys-  
9           tem are not being used for marketing purposes;  
10          and

11          “(C) monitor the use of the data system by  
12          guaranty agencies and eligible lenders to deter-  
13          mine whether an agency or lender is accessing  
14          the records of students in which the agency or  
15          lender has no existing financial interest; and

16          “(6) developing standardized protocols for lim-  
17          iting access to the data system that include—

18          “(A) collecting data on the usage of the data  
19          system to monitor whether access has been or is  
20          being used contrary to the purposes of the data  
21          system;

22          “(B) defining the steps necessary for deter-  
23          mining whether, and how, to deny or restrict ac-  
24          cess to the data system; and

1           “(C) *determining the steps necessary to re-*  
 2           *open access to the data system following a denial*  
 3           *or restriction of access.*”; and

4           (4) *by striking subsection (e) (as redesignated by*  
 5           *paragraph (1)) and inserting the following:*

6           “(e) *REPORTS TO CONGRESS.*—

7           “(1) *ANNUAL REPORT.*—*Not later than Sep-*  
 8           *tember 30 of each fiscal year, the Secretary shall pre-*  
 9           *pare and submit to the appropriate committees of*  
 10          *Congress a report describing—*

11           “(A) *the results obtained by the establish-*  
 12           *ment and operation of the National Student*  
 13           *Loan Data System authorized by this section;*

14           “(B) *the effectiveness of existing privacy*  
 15           *safeguards in protecting student and parent in-*  
 16           *formation in the data system;*

17           “(C) *the success of any new authorization*  
 18           *protocols in more effectively preventing abuse of*  
 19           *the data system;*

20           “(D) *the ability of the Secretary to monitor*  
 21           *how the system is being used, relative to the in-*  
 22           *tended purposes of the data system; and*

23           “(E) *any protocols developed under sub-*  
 24           *section (d)(6) during the preceding fiscal year.*

25           “(2) *STUDY.*—

1           “(A) *IN GENERAL.*—*The Secretary shall*  
 2           *conduct a study regarding—*

3                   “(i) *available mechanisms for pro-*  
 4                   *viding students and parents with the ability*  
 5                   *to opt in or opt out of allowing eligible*  
 6                   *lenders to access their records in the Na-*  
 7                   *tional Student Loan Data System; and*

8                   “(ii) *appropriate protocols for limiting*  
 9                   *access to the data system, based on the risk*  
 10                   *assessment required under subchapter III of*  
 11                   *chapter 35 of title 44, United States Code.*

12           “(B) *SUBMISSION OF STUDY.*—*Not later*  
 13           *than 3 years after the date of enactment of the*  
 14           *Higher Education Amendments of 2007, the Sec-*  
 15           *retary shall prepare and submit a report on the*  
 16           *findings of the study to the appropriate commit-*  
 17           *tees of Congress.”.*

18 **SEC. 480. EARLY AWARENESS OF FINANCIAL AID ELIGI-**  
 19 **BILITY.**

20           *Part G of title IV (20 U.S.C. 1088 et seq.) is further*  
 21           *amended by inserting after section 485D (20 U.S.C. 1092c)*  
 22           *the following:*

1 **“SEC. 485E. EARLY AWARENESS OF FINANCIAL AID ELIGI-**  
 2 **BILITY.**

3       “(a) *IN GENERAL.*—*The Secretary shall implement, in*  
 4 *cooperation with States, institutions of higher education,*  
 5 *secondary schools, middle schools, early intervention and*  
 6 *outreach programs under this title, other agencies and orga-*  
 7 *nizations involved in student financial assistance and col-*  
 8 *lege access, public libraries, community centers, employers,*  
 9 *and businesses, a comprehensive system of early financial*  
 10 *aid information in order to provide students and families*  
 11 *with early information about financial aid and early esti-*  
 12 *mates of such students’ eligibility for financial aid from*  
 13 *multiple sources. Such system shall include the activities*  
 14 *described in subsections (b) and (c).*

15       “(b) *COMMUNICATION OF AVAILABILITY OF AID AND*  
 16 *AID ELIGIBILITY.*—

17               “(1) *STUDENTS WHO RECEIVE BENEFITS.*—*The*  
 18 *Secretary shall—*

19                       “(A) *make special efforts to notify students,*  
 20 *who receive or are eligible to receive benefits*  
 21 *under a Federal means-tested benefit program*  
 22 *(including the food stamp program under the*  
 23 *Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.))*  
 24 *or another such benefit program as determined*  
 25 *by the Secretary, of such students’ potential eli-*

gibility for a maximum Federal Pell Grant  
under subpart 1 of part A; and

“(B) disseminate such informational materials as the Secretary determines necessary.

“(2) MIDDLE SCHOOL STUDENTS.—The Secretary, in cooperation with States, institutions of higher education, other organizations involved in college access and student financial aid, middle schools, and programs under this title that serve middle school students, shall make special efforts to notify students and their parents of the availability of financial aid under this title and, in accordance with subsection (c), shall provide nonbinding estimates of grant and loan aid that an individual may be eligible for under this title upon completion of an application form under section 483(a). The Secretary shall ensure that such information is as accurate as possible and that such information is provided in an age-appropriate format using dissemination mechanisms suitable for students in middle school.

“(3) SECONDARY SCHOOL STUDENTS.—The Secretary, in cooperation with States, institutions of higher education, other organizations involved in college access and student financial aid, secondary schools, and programs under this title that serve sec-

1      ondary school students, shall make special efforts to  
 2      notify students in secondary school and their parents,  
 3      as early as possible but not later than such students'  
 4      junior year of secondary school, of the availability of  
 5      financial aid under this title and, in accordance with  
 6      subsection (c), shall provide nonbinding estimates of  
 7      the amounts of grant and loan aid that an individual  
 8      may be eligible for under this title upon completion  
 9      of an application form under section 483(a). The Sec-  
 10     retary shall ensure that such information is as accu-  
 11     rate as possible and that such information is provided  
 12     in an age-appropriate format using dissemination  
 13     mechanisms suitable for students in secondary school.

14           “(4) ADULT LEARNERS.—The Secretary, in co-  
 15     operation with States, institutions of higher edu-  
 16     cation, other organizations involved in college access  
 17     and student financial aid, employers, workforce in-  
 18     vestment boards and public libraries, shall make spe-  
 19     cial efforts to provide individuals who would qualify  
 20     as independent students, as defined in section 480(d),  
 21     with information regarding the availability of finan-  
 22     cial aid under this title and, in accordance with sub-  
 23     section (c), with nonbinding estimates of the amounts  
 24     of grant and loan aid that an individual may be eli-  
 25     gible for under this title upon completion of an appli-

1        *cation form under section 483(a). The Secretary shall*  
2        *ensure that such information—*

3                *“(A) is as accurate as possible;*

4                *“(B) includes specific information regard-*  
5        *ing the availability of financial aid for students*  
6        *qualified as independent students, as defined in*  
7        *section 480(d); and*

8                *“(C) uses dissemination mechanisms suit-*  
9        *able for adult learners.*

10              *“(5) PUBLIC AWARENESS CAMPAIGN.—Not later*  
11        *than 2 years after the date of enactment of the Higher*  
12        *Education Amendments of 2007, the Secretary, in co-*  
13        *ordination with States, institutions of higher edu-*  
14        *cation, early intervention and outreach programs*  
15        *under this title, other agencies and organizations in-*  
16        *volved in student financial aid, local educational*  
17        *agencies, public libraries, community centers, busi-*  
18        *nesses, employers, employment services, workforce in-*  
19        *vestment boards, and movie theaters, shall implement*  
20        *a public awareness campaign in order to increase na-*  
21        *tional awareness regarding the availability of finan-*  
22        *cial aid under this title. The public awareness cam-*  
23        *paign shall disseminate accurate information regard-*  
24        *ing the availability of financial aid under this title*  
25        *and shall be implemented, to the extent practicable,*

1       *using a variety of media, including print, television,*  
 2       *radio and the Internet. The Secretary shall design*  
 3       *and implement the public awareness campaign based*  
 4       *upon relevant independent research and the informa-*  
 5       *tion and dissemination strategies found most effective*  
 6       *in implementing paragraphs (1) through (4).*

7       “(c) *AVAILABILITY OF NONBINDING ESTIMATES OF*  
 8       *FEDERAL FINANCIAL AID ELIGIBILITY.—*

9               “(1) *IN GENERAL.—The Secretary, in coopera-*  
 10       *tion with States, institutions of higher education, and*  
 11       *other agencies and organizations involved in student*  
 12       *financial aid, shall provide, via a printed form and*  
 13       *the Internet or other electronic means, the capability*  
 14       *for individuals to determine easily, by entering rel-*  
 15       *evant data, nonbinding estimates of amounts of grant*  
 16       *and loan aid an individual may be eligible for under*  
 17       *this title upon completion and processing of an appli-*  
 18       *cation and enrollment in an institution of higher edu-*  
 19       *cation.*

20              “(2) *DATA ELEMENTS.—The Secretary, in co-*  
 21       *operation with States, institutions of higher edu-*  
 22       *cation, and other agencies and organizations involved*  
 23       *in student financial aid, shall determine the data ele-*  
 24       *ments that are necessary to create a simplified form*  
 25       *that individuals can use to obtain easily nonbinding*



1 *estimates of the amounts of grant and loan aid an in-*  
 2 *dividual may be eligible for under this title.*

3 “(3) *QUALIFICATION TO USE SIMPLIFIED APPLI-*  
 4 *CATION.—The capability provided under this para-*  
 5 *graph shall include the capability to determine wheth-*  
 6 *er the individual is eligible to submit a simplified ap-*  
 7 *plication form under paragraph (2)(B) or (3)(B) of*  
 8 *section 483(a).”.*

9 **SEC. 481. PROGRAM PARTICIPATION AGREEMENTS.**

10 *Section 487 (20 U.S.C. 1094) is amended—*

11 *(1) in subsection (a)—*

12 *(A) by redesignating paragraphs (21), (22),*  
 13 *and (23) as paragraphs (22), (23), and (24), re-*  
 14 *spectively;*

15 *(B) by inserting after paragraph (20) the*  
 16 *following:*

17 “(21) *CODE OF CONDUCT.—*

18 *“(A) IN GENERAL.—The institution will es-*  
 19 *tablish, follow, and enforce a code of conduct re-*  
 20 *garding student loans that includes not less than*  
 21 *the following:*

22 *“(i) REVENUE SHARING PROHIBI-*  
 23 *TION.—The institution is prohibited from*  
 24 *receiving anything of value from any lender*  
 25 *in exchange for any advantage sought by*

1            *the lender to make educational loans to a*  
 2            *student enrolled, or who is expected to be*  
 3            *enrolled, at the institution, except that an*  
 4            *institution shall not be prohibited from re-*  
 5            *ceiving a philanthropic contribution from a*  
 6            *lender if the contribution is not made in ex-*  
 7            *change for any such advantage.*

8            “(ii) *GIFT AND TRIP PROHIBITION.—*  
 9            *Any employee who is employed in the fi-*  
 10           *nanacial aid office of the institution, or who*  
 11           *otherwise has responsibilities with respect to*  
 12           *educational loans or other financial aid of*  
 13           *the institution, is prohibited from taking*  
 14           *from any lender any gift or trip worth more*  
 15           *than nominal value, except for reasonable*  
 16           *expenses for professional development that*  
 17           *will improve the efficiency and effectiveness*  
 18           *of programs under this title and for domes-*  
 19           *tic travel to such professional development.*

20           “(iii)        *CONTRACTING        ARRANGE-*  
 21           *MENTS.—Any employee who is employed in*  
 22           *the financial aid office of the institution, or*  
 23           *who otherwise has responsibilities with re-*  
 24           *spect to educational loans or other financial*  
 25           *aid of the institution, shall be prohibited*

1           *from entering into any type of consulting*  
 2           *arrangement or other contract to provide*  
 3           *services to a lender.*

4           “(iv) *ADVISORY BOARD COMPENSA-*  
 5           *TION.—Any employee who is employed in*  
 6           *the financial aid office of the institution, or*  
 7           *who otherwise has responsibilities with re-*  
 8           *spect to educational loans or other student*  
 9           *financial aid of the institution, and who*  
 10          *serves on an advisory board, commission, or*  
 11          *group established by a lender or group of*  
 12          *lenders shall be prohibited from receiving*  
 13          *anything of value from the lender or group*  
 14          *of lenders, except that the employee may be*  
 15          *reimbursed for reasonable expenses incurred*  
 16          *in serving on such advisory board, commis-*  
 17          *sion or group.*

18          “(v) *INTERACTION WITH BOR-*  
 19          *ROWERS.—The institution will not—*

20                 *“(I) for any first-time borrower,*  
 21                 *assign, through award packaging or*  
 22                 *other methods, the borrower’s loan to a*  
 23                 *particular lender; and*

24                 *“(II) refuse to certify, or, delay*  
 25                 *certification of, any loan in accordance*

1                   *with paragraph (6) based on the bor-*  
 2                   *rower's selection of a particular lender*  
 3                   *or guaranty agency.*

4                   “(B) *DESIGNATION.*—*The institution will*  
 5                   *designate an individual who shall be responsible*  
 6                   *for signing an annual attestation on behalf of*  
 7                   *the institution that the institution agrees to, and*  
 8                   *is in compliance with, the requirements of the*  
 9                   *code of conduct described in this paragraph.*  
 10                   *Such individual shall be the chief executive offi-*  
 11                   *cer, chief operating officer, chief financial officer,*  
 12                   *or comparable official, of the institution, and*  
 13                   *shall annually submit the signed attestation to*  
 14                   *the Secretary.*

15                   “(C) *AVAILABILITY.*—*The institution will*  
 16                   *make the code of conduct widely available to the*  
 17                   *institution's faculty members, students, and par-*  
 18                   *ents through a variety of means, including the*  
 19                   *institution's website.”;*

20                   (C) *in paragraph (24) (as redesignated by*  
 21                   *subparagraph (A)), by adding at the end the fol-*  
 22                   *lowing:*

23                   “(D) *In the case of a proprietary institu-*  
 24                   *tion of higher education as defined in section*  
 25                   *102(b), the institution shall be considered in*

1        *compliance with the requirements of subpara-*  
 2        *graph (A) for any student to whom the institu-*  
 3        *tion electronically transmits a message con-*  
 4        *taining a voter registration form acceptable for*  
 5        *use in the State in which the institution is lo-*  
 6        *cated, or an Internet address where such a form*  
 7        *can be downloaded, if such information is in an*  
 8        *electronic message devoted solely to voter reg-*  
 9        *istration.”; and*

10                *(D) by adding at the end the following:*

11                *“(25) In the case of a proprietary institution of*  
 12        *higher education as defined in section 102(b), the in-*  
 13        *stitution will, as calculated in accordance with sub-*  
 14        *section (h)(1), have not less than 10 percent of its rev-*  
 15        *enues from sources other than funds provided under*  
 16        *this title, or will be subject to the sanctions described*  
 17        *in subsection (h)(2).*

18                *“(26) PREFERRED LENDER LISTS.—*

19                *“(A) IN GENERAL.—In the case of an insti-*  
 20        *tution (including an employee or agent of an in-*  
 21        *stitution) that maintains a preferred lender list,*  
 22        *in print or any other medium, through which the*  
 23        *institution recommends one or more specific*  
 24        *lenders for loans made under part B to the stu-*

1           *dents attending the institution (or the parents of*  
 2           *such students), the institution will—*

3                   *“(i) clearly and fully disclose on the*  
 4                   *preferred lender list—*

5                           *“(I) why the institution has in-*  
 6                           *cluded each lender as a preferred lend-*  
 7                           *er, especially with respect to terms and*  
 8                           *conditions favorable to the borrower;*  
 9                           *and*

10                           *“(II) that the students attending*  
 11                           *the institution (or the parents of such*  
 12                           *students) do not have to borrow from a*  
 13                           *lender on the preferred lender list;*

14                           *“(ii) ensure, through the use of the list*  
 15                           *provided by the Secretary under subpara-*  
 16                           *graph (C), that—*

17                                   *“(I) there are not less than 3 lend-*  
 18                                   *ers named on the preferred lending list*  
 19                                   *that are not affiliates of each other;*  
 20                                   *and*

21                                   *“(II) the preferred lender list—*

22   *“(aa) specifically indicates,*  
 23   *for each lender on the list, whether*  
 24   *the lender is or is not an affiliate*

1 of each other lender on the list;  
 2 and

3 “(bb) if the lender is an affil-  
 4 iate of another lender on the list,  
 5 describes the specifics of such af-  
 6 filiation; and

7 “(iii) establish a process to ensure that  
 8 lenders are placed upon the preferred lender  
 9 list on the basis of the benefits provided to  
 10 borrowers, including —

11 “(I) highly competitive interest  
 12 rates, terms, or conditions for loans  
 13 made under part B;

14 “(II) high-quality customer serv-  
 15 ice for such loans; or

16 “(III) additional benefits beyond  
 17 the standard terms and conditions for  
 18 such loans.

19 “(B) DEFINITION OF AFFILIATE; CON-  
 20 TROL.—

21 “(i) DEFINITION OF AFFILIATE.—For  
 22 the purposes of subparagraph (A)(ii) the  
 23 term ‘affiliate’ means a person that con-  
 24 trols, is controlled by, or is under common  
 25 control with, another person.

1           “(ii) *CONTROL.*—For purposes of sub-  
2           paragraph (A)(ii), a person has control over  
3           another person if—

4                   “(I) the person directly or indi-  
5                   rectly, or acting through 1 or more oth-  
6                   ers, owns, controls, or has the power to  
7                   vote 5 percent or more of any class of  
8                   voting securities of such other person;

9                   “(II) the person controls, in any  
10                  manner, the election of a majority of  
11                  the directors or trustees of such other  
12                  person; or

13                  “(III) the Secretary determines  
14                  (after notice and opportunity for a  
15                  hearing) that the person directly or in-  
16                  directly exercises a controlling interest  
17                  over the management or policies of  
18                  such other person.

19           “(C) *LIST OF LENDER AFFILIATES.*—The  
20           Secretary, in consultation with the Director of  
21           the Federal Deposit Insurance Corporation, shall  
22           maintain and update a list of lender affiliates of  
23           all eligible lenders, and shall provide such list to  
24           the eligible institutions for use in carrying out  
25           subparagraph (A).”;



1           (2) *in subsection (c)(1)(A)(i), by inserting “, ex-*  
 2           *cept that the Secretary may modify the requirements*  
 3           *of this clause with regard to an institution outside the*  
 4           *United States” before the semicolon at the end;*

5           (3) *by redesignating subsections (d) and (e) as*  
 6           *subsection (f) and (g), respectively;*

7           (4) *by inserting after subsection (c) the fol-*  
 8           *lowing:*

9           “(d) *INSTITUTIONAL REQUIREMENTS FOR TEACH-*  
 10          *OUTS.—*

11           “(1) *IN GENERAL.—In the event the Secretary*  
 12           *initiates the limitation, suspension, or termination of*  
 13           *the participation of an institution of higher education*  
 14           *in any program under this title under the authority*  
 15           *of subsection (c)(1)(F) or initiates an emergency ac-*  
 16           *tion under the authority of subsection (c)(1)(G) and*  
 17           *its prescribed regulations, the Secretary shall require*  
 18           *that institution to prepare a teach-out plan for sub-*  
 19           *mission to the institution’s accrediting agency or as-*  
 20           *sociation in compliance with section 496(c)(4), the*  
 21           *Secretary’s regulations on teach-out plans, and the*  
 22           *standards of the institution’s accrediting agency or*  
 23           *association.*

24           “(2) *TEACH-OUT PLAN DEFINED.—In this sub-*  
 25           *section, the term ‘teach-out plan’ means a written*

1      *plan that provides for the equitable treatment of stu-*  
 2      *dents if an institution of higher education ceases to*  
 3      *operate before all students have completed their pro-*  
 4      *gram of study, and may include, if required by the*  
 5      *institution's accrediting agency or association, an*  
 6      *agreement between institutions for such a teach-out*  
 7      *plan.*

8      “(e) *VIOLATION OF CODE OF CONDUCT REGARDING*  
 9      *STUDENT LOANS.—*

10            “(1) *IN GENERAL.—Upon a finding by the Sec-*  
 11            *retary, after reasonable notice and an opportunity for*  
 12            *a hearing, that an institution of higher education*  
 13            *that has entered into a program participation agree-*  
 14            *ment with the Secretary under subsection (a) willfully*  
 15            *contravened the institution's attestation of compliance*  
 16            *with the provisions of subsection (a)(21), the Sec-*  
 17            *retary may impose a penalty described in paragraph*  
 18            *(2).*

19            “(2) *PENALTIES.—A violation of paragraph (1)*  
 20            *shall result in the limitation, suspension, or termi-*  
 21            *nation of the eligibility of the institution for the loan*  
 22            *programs under this title.”; and*

23            (5) *by adding at the end the following:*

24            “(h) *IMPLEMENTATION OF NONTITLE IV REVENUE RE-*  
 25            *QUIREMENT.—*

1           “(1) *CALCULATION.*—*In carrying out subsection*  
2           *(a)(27), a proprietary institution of higher education*  
3           *(as defined in section 102(b)) shall use the cash basis*  
4           *of accounting and count the following funds as from*  
5           *sources of funds other than funds provided under this*  
6           *title:*

7                   “(A) *Funds used by students from sources*  
8                   *other than funds received under this title to pay*  
9                   *tuition, fees, and other institutional charges to*  
10                  *the institution, provided the institution can rea-*  
11                  *sonably demonstrate that such funds were used*  
12                  *for such purposes.*

13                  “(B) *Funds used by the institution to sat-*  
14                  *isfy matching-fund requirements for programs*  
15                  *under this title.*

16                  “(C) *Funds used by a student from savings*  
17                  *plans for educational expenses established by or*  
18                  *on behalf of the student and which qualify for*  
19                  *special tax treatment under the Internal Revenue*  
20                  *Code of 1986.*

21                  “(D) *Funds paid by a student, or on behalf*  
22                  *of a student by a party other than the institu-*  
23                  *tion, to the institution for an education or train-*  
24                  *ing program that is not eligible for funds under*  
25                  *this title, provided that the program is approved*

1        *or licensed by the appropriate State agency or*  
2        *an accrediting agency recognized by the Sec-*  
3        *retary.*

4            *“(E) Funds generated by the institution*  
5        *from institutional activities that are necessary*  
6        *for the education and training of the institu-*  
7        *tion’s students, if such activities are—*

8            *“(i) conducted on campus or at a facil-*  
9        *ity under the control of the institution;*

10          *“(ii) performed under the supervision*  
11        *of a member of the institution’s faculty; and*

12          *“(iii) required to be performed by all*  
13        *students in a specific educational program*  
14        *at the institution.*

15          *“(F) Institutional aid, as follows:*

16          *“(i) In the case of loans made by the*  
17        *institution, only the amount of loan repay-*  
18        *ments received by the institution during the*  
19        *fiscal year for which the determination is*  
20        *made.*

21          *“(ii) In the case of scholarships pro-*  
22        *vided by the institution, only those scholar-*  
23        *ship funds provided by the institution that*  
24        *are—*

1                   “(I) in the form of monetary aid  
2                   based upon the academic achievements  
3                   or financial need of students; and

4                   “(II) disbursed during the fiscal  
5                   year for which the determination is  
6                   made from an established restricted ac-  
7                   count and only to the extent that the  
8                   funds in that account represent des-  
9                   ignated funds from an outside source  
10                  or income earned on those funds.

11                  “(iii) In the case of tuition discounts,  
12                  only those tuition discounts based upon the  
13                  academic achievement or financial need of  
14                  students.

15                  “(2) SANCTIONS.—

16                  “(A) *FAILURE TO MEET REQUIREMENT FOR*  
17                  *1 YEAR.*—In addition to such other means of en-  
18                  forcing the requirements of this title as may be  
19                  available to the Secretary, if an institution fails  
20                  to meet the requirements of subsection (a)(27) in  
21                  any year, the Secretary may impose 1 or both of  
22                  the following sanctions on the institution:

23                  “(i) Place the institution on provi-  
24                  sional certification in accordance with sec-  
25                  tion 498(h) until the institution dem-

onstrates, to the satisfaction of the Secretary, that it is in compliance with subsection (a)(27).

“(ii) Require such other increased monitoring and reporting requirements as the Secretary determines necessary until the institution demonstrates, to the satisfaction of the Secretary, that it is in compliance with subsection (a)(27).

“(B) *FAILURE TO MEET REQUIREMENT FOR 2 YEARS.*—An institution that fails to meet the requirements of subsection (a)(27) for 2 consecutive years shall be ineligible to participate in the programs authorized under this title until the institution demonstrates, to the satisfaction of the Secretary, that it is in compliance with subsection (a)(27).

“(3) *PUBLIC AVAILABILITY OF INFORMATION.*—The Secretary shall make publicly available, through the means described in subsection (b) of section 131, any institution that fails to meet the requirements of subsection (a)(27) in any year as an institution that is failing to meet the minimum non-Federal source of revenue requirements of such subsection (a)(27).”.

1 **SEC. 482. REGULATORY RELIEF AND IMPROVEMENT.**

2 *Section 487A(b) (20 U.S.C. 1094a(b)) is amended—*

3 *(1) in paragraph (1)—*

4 *(A) by striking “1998” and inserting*  
 5 *“2007”; and*

6 *(B) by striking “1999” and inserting*  
 7 *“2008”; and*

8 *(2) by striking the matter preceding paragraph*  
 9 *(2)(A) and inserting the following:*

10 *“(2) REPORT.—The Secretary shall review and*  
 11 *evaluate the experience of institutions participating*  
 12 *as experimental sites and shall, on a biennial basis,*  
 13 *submit a report based on the review and evaluation*  
 14 *to the authorizing committees. Such report shall in-*  
 15 *clude—”; and*

16 *(3) in paragraph (3)—*

17 *(A) in subparagraph (A)—*

18 *(i) by striking “Upon the submission*  
 19 *of the report required by paragraph (2),*  
 20 *the” and inserting “The”; and*

21 *(ii) by inserting “periodically” after*  
 22 *“authorized to”;*

23 *(B) by striking subparagraph (B);*

24 *(C) by redesignating subparagraph (C) as*  
 25 *subparagraph (B); and*

(D) in subparagraph (B) (as redesignated by subparagraph (C))—

(i) by inserting “, including requirements related to the award process and disbursement of student financial aid (such as innovative delivery systems for modular or compressed courses, or other innovative systems), verification of student financial aid application data, entrance and exit interviews, or other management procedures or processes as determined in the negotiated rulemaking process under section 492” after “requirements in this title”;

(ii) by inserting “(other than an award rule related to an experiment in modular or compressed schedules)” after “award rules”; and

(iii) by inserting “unless the waiver of such provisions is authorized by another provision under this title” before the period at the end.

**SEC. 483. TRANSFER OF ALLOTMENTS.**

Section 488 (20 U.S.C. 1095) is amended in the first sentence—



1           (1) in paragraph (1), by striking “and” after the  
2           semicolon;

3           (2) in paragraph (2), by striking “413D.” and  
4           inserting “413D; and”; and

5           (3) by adding at the end “(3) transfer 25 percent  
6           of the institution’s allotment under section 413D to  
7           the institution’s allotment under section 442.”.

8   **SEC. 484. PURPOSE OF ADMINISTRATIVE PAYMENTS.**

9           Section 489(b) (20 U.S.C. 1096(b)) is amended by  
10          striking “offsetting the administrative costs of” and insert-  
11          ing “administering”.

12   **SEC. 485. ADVISORY COMMITTEE ON STUDENT FINANCIAL**  
13          **ASSISTANCE.**

14          Section 491 (20 U.S.C. 1098) is amended—

15               (1) in subsection (a)(2)—

16                       (A) in subparagraph (B), by striking “and”  
17                       after the semicolon;

18                       (B) in subparagraph (C), by striking the  
19                       period and inserting a semicolon; and

20                       (C) by adding at the end the following:

21                               “(D) to provide knowledge and under-  
22                               standing of early intervention programs, and to  
23                               make recommendations that will result in early  
24                               awareness by low- and moderate-income students  
25                               and families—

1                   “(i) of their eligibility for assistance  
2                   under this title; and

3                   “(ii) to the extent practicable, of their  
4                   eligibility for other forms of State and insti-  
5                   tutional need-based student assistance; and

6                   “(E) to make recommendations that will ex-  
7                   pand and improve partnerships among the Fed-  
8                   eral Government, States, institutions of higher  
9                   education, and private entities to increase the  
10                  awareness and the total amount of need-based  
11                  student assistance available to low- and mod-  
12                  erate-income students.”;

13               (2) in subsection (c), by adding at the end the  
14               following:

15               “(3) The appointment of a member under subpara-  
16               graph (A) or (B) of paragraph (1) shall be effective upon  
17               confirmation of the member by the Senate and publication  
18               of such appointment in the Congressional Record.”;

19               (3) in subsection (d)(6), by striking “, but noth-  
20               ing” and all that follows through “or analyses”;

21               (4) in subsection (j)—

22                   (A) in paragraph (1)—

23                           (i) by inserting “and simplification”  
24                           after “modernization” each place the term  
25                           appears; and

1                   (ii) by striking “including” and all  
2                   that follows through “Department,”; and

3                   (B) by striking paragraphs (4) and (5) and  
4                   inserting the following:

5                   “(4) conduct a review and analysis of regula-  
6                   tions in accordance with subsection (l); and

7                   “(5) conduct a study in accordance with sub-  
8                   section (m).”;

9                   (5) in subsection (k), by striking “2004” and in-  
10                  serting “2013”; and

11                  (6) by adding at the end the following:

12                  “(l) *REVIEW AND ANALYSIS OF REGULATIONS.*—

13                   “(1) *RECOMMENDATIONS.*—*The Advisory Com-*  
14                   *mittee shall make recommendations to the Secretary*  
15                   *and Congress for consideration of future legislative*  
16                   *action regarding redundant or outdated regulations*  
17                   *under this title, consistent with the Secretary’s re-*  
18                   *quirements under section 498B.*

19                   “(2) *REVIEW AND ANALYSIS OF REGULATIONS.*—

20                   *The Advisory Committee shall conduct a review and*  
21                   *analysis of the regulations issued under this title that*  
22                   *are in effect at the time of the review and that apply*  
23                   *to the operations or activities of participants in the*  
24                   *programs assisted under this title. The review and*  
25                   *analysis may include a determination of whether the*

1 regulation is duplicative, is no longer necessary, is  
 2 inconsistent with other Federal requirements, or is  
 3 overly burdensome. In conducting the review, the Ad-  
 4 visory Committee shall pay specific attention to eval-  
 5 uating ways in which regulations under this title af-  
 6 fecting institutions of higher education (other than  
 7 institutions described in section 102(a)(1)(C)), that  
 8 have received in each of the 2 most recent award  
 9 years prior to the date of enactment of the Higher  
 10 Education Amendments of 2007 less than \$200,000 in  
 11 funds through this title, may be improved, stream-  
 12 lined, or eliminated.

13 “(3) CONSULTATION.—

14 “(A) IN GENERAL.—In carrying out the re-  
 15 view and analysis under paragraph (2), the Ad-  
 16 visory Committee shall consult with the Sec-  
 17 retary, relevant representatives of institutions of  
 18 higher education, and individuals who have ex-  
 19 pertise and experience with the regulations  
 20 issued under this title, in accordance with sub-  
 21 paragraph (B).

22 “(B) REVIEW PANELS.—The Advisory Com-  
 23 mittee shall convene not less than 2 review pan-  
 24 els of representatives of the groups involved in  
 25 student financial assistance programs under this

1           *title who have experience and expertise in the*  
2           *regulations issued under this title to review the*  
3           *regulations under this title, and to provide rec-*  
4           *ommendations to the Advisory Committee with*  
5           *respect to the review and analysis under para-*  
6           *graph (2). The panels shall be made up of ex-*  
7           *perts in areas such as the operations of the fi-*  
8           *nancial assistance programs, the institutional*  
9           *eligibility requirements for the financial assist-*  
10          *ance programs, regulations not directly related*  
11          *to the operations or the institutional eligibility*  
12          *requirements of the financial assistance pro-*  
13          *grams, and regulations for dissemination of in-*  
14          *formation to students about the financial assist-*  
15          *ance programs.*

16          “(4) *REPORTS TO CONGRESS.*—*The Advisory*  
17          *Committee shall submit, not later than 2 years after*  
18          *the completion of the negotiated rulemaking process*  
19          *required under section 492 resulting from the amend-*  
20          *ments to this Act made by the Higher Education*  
21          *Amendments of 2007, a report to the authorizing*  
22          *committees and the Secretary detailing the expert*  
23          *panels’ findings and recommendations with respect to*  
24          *the review and analysis under paragraph (2).*

1           “(5) *ADDITIONAL SUPPORT.*—*The Secretary and*  
 2           *the Inspector General of the Department shall provide*  
 3           *such assistance and resources to the Advisory Com-*  
 4           *mittee as the Secretary and Inspector General deter-*  
 5           *mine are necessary to conduct the review required by*  
 6           *this subsection.*

7           “(m) *STUDY OF INNOVATIVE PATHWAYS TO BACCA-*  
 8           *LAUREATE DEGREE ATTAINMENT.*—

9           “(1) *STUDY REQUIRED.*—*The Advisory Com-*  
 10           *mittee shall conduct a study of the feasibility of in-*  
 11           *creasing baccalaureate degree attainment rates by re-*  
 12           *ducing the costs and financial barriers to attaining*  
 13           *a baccalaureate degree through innovative programs.*

14           “(2) *SCOPE OF STUDY.*—*The Advisory Com-*  
 15           *mittee shall examine new and existing programs that*  
 16           *promote baccalaureate degree attainment through in-*  
 17           *novative ways, such as dual or concurrent enrollment*  
 18           *programs, changes made to the Federal Pell Grant*  
 19           *program, simplification of the needs analysis process,*  
 20           *compressed or modular scheduling, articulation agree-*  
 21           *ments, and programs that allow 2-year institutions of*  
 22           *higher education to offer baccalaureate degrees.*

23           “(3) *REQUIRED ASPECTS OF THE STUDY.*—*In*  
 24           *performing the study described in this subsection, the*

1       *Advisory Committee shall examine the following as-*  
2       *pects of such innovative programs:*

3               “(A) *The impact of such programs on bac-*  
4               *calaureate attainment rates.*

5               “(B) *The degree to which a student’s total*  
6               *cost of attaining a baccalaureate degree can be*  
7               *reduced by such programs.*

8               “(C) *The ways in which low- and moderate-*  
9               *income students can be specifically targeted by*  
10              *such programs.*

11              “(D) *The ways in which nontraditional stu-*  
12              *dents can be specifically targeted by such pro-*  
13              *grams.*

14              “(E) *The cost-effectiveness for the Federal*  
15              *Government, States, and institutions of higher*  
16              *education to implement such programs.*

17              “(4) *CONSULTATION.—*

18              “(A) *IN GENERAL.—In performing the*  
19              *study described in this subsection the Advisory*  
20              *Committee shall consult with a broad range of*  
21              *interested parties in higher education, including*  
22              *parents, students, appropriate representatives of*  
23              *secondary schools and institutions of higher edu-*  
24              *cation, appropriate State administrators, ad-*

1        *ministrators of dual or concurrent enrollment*  
2        *programs, and appropriate Department officials.*

3                “(B) *CONGRESSIONAL CONSULTATION.*—*The*  
4        *Advisory Committee shall consult on a regular*  
5        *basis with the authorizing committees in car-*  
6        *rying out the study required by this section.*

7                “(5) *REPORTS TO CONGRESS.*—

8                “(A) *INTERIM REPORT.*—*The Advisory*  
9        *Committee shall prepare and submit to the au-*  
10       *thorizing committees and the Secretary an in-*  
11       *terim report, not later than 1 year after the date*  
12       *of enactment of the Higher Education Amend-*  
13       *ments of 2007, describing the progress that has*  
14       *been made in conducting the study required by*  
15       *this subsection and any preliminary findings on*  
16       *the topics identified under paragraph (2).*

17               “(B) *FINAL REPORT.*—*The Advisory Com-*  
18       *mittee shall, not later than 3 years after the date*  
19       *of enactment of the Higher Education Amend-*  
20       *ments of 2007, prepare and submit to the au-*  
21       *thorizing committees and the Secretary a final*  
22       *report on the study, including recommendations*  
23       *for legislative, regulatory, and administrative*  
24       *changes based on findings related to the topics*  
25       *identified under paragraph (2).”.*



1 **SEC. 486. REGIONAL MEETINGS.**

2       Section 492(a)(1) (20 U.S.C. 1098a(a)(1)) is amended  
3 by inserting “State student grant agencies,” after “institu-  
4 tions of higher education,”.

5 **SEC. 487. YEAR 2000 REQUIREMENTS AT THE DEPARTMENT.**

6       (a) *REPEAL*.—Section 493A (20 U.S.C. 1098c) is re-  
7 pealed.

8       (b) *REDESIGNATION*.—Section 493B (20 U.S.C.  
9 1098d) is redesignated as section 493A.

10 **PART G—PROGRAM INTEGRITY**

11 **SEC. 491. RECOGNITION OF ACCREDITING AGENCY OR AS-**  
12 **SOCIATION.**

13       Section 496 (20 U.S.C. 1099b) is amended—

14               (1) in subsection (a)—

15                       (A) by striking paragraph (4) and inserting  
16               the following:

17               “(4)(A) such agency or association consistently  
18               applies and enforces standards that respect the stated  
19               mission of the institution of higher education, includ-  
20               ing religious missions, and that ensure that the  
21               courses or programs of instruction, training, or study  
22               offered by the institution of higher education, includ-  
23               ing distance education courses or programs, are of  
24               sufficient quality to achieve, for the duration of the  
25               accreditation period, the stated objective for which the  
26               courses or the programs are offered; and

1           “(B) if such agency or association has or seeks  
2           to include within its scope of recognition the evalua-  
3           tion of the quality of institutions or programs offering  
4           distance education, such agency or association shall,  
5           in addition to meeting the other requirements of this  
6           subpart, demonstrate to the Secretary that—

7                   “(i) the agency or association’s standards  
8                   effectively address the quality of an institution’s  
9                   distance education in the areas identified in sec-  
10                  tion 496(a)(5), except that the agency or associa-  
11                  tion shall not be required to have separate stand-  
12                  ards, procedures or policies for the evaluation of  
13                  distance education institutions or programs in  
14                  order to meet the requirements of this subpara-  
15                  graph; and

16                   “(ii) the agency or association requires an  
17                  institution that offers distance education to have  
18                  processes through which the institution estab-  
19                  lishes that the student who registers in a distance  
20                  education course or program is the same student  
21                  who participates in and completes the program  
22                  and receives the academic credit;”;

23                  (B) in paragraph (5), by striking subpara-  
24                  graph (A) and inserting the following:

1           “(A) success with respect to student achieve-  
 2           ment in relation to the institution’s mission,  
 3           which may include different standards for dif-  
 4           ferent institutions or programs, through the de-  
 5           termination of expected levels of student achieve-  
 6           ment that are established by the institution, and  
 7           which use, as appropriate, empirical evidence  
 8           and external indicators with respect to criteria  
 9           regarding—

10               “(i) student retention rates;

11               “(ii) course completion rates;

12               “(iii) program completion and gradua-  
 13           tion rates;

14               “(iv) for prebaccalaureate career and  
 15           technical education programs, degree pro-  
 16           grams leading to initial professional licen-  
 17           sure or certification, and other programs as  
 18           appropriate—

19               “(I) results on State licensing ex-  
 20           aminations; and

21               “(II) job placement rates;

22               “(v) as appropriate, enrollment in  
 23           graduate or professional programs; and

1                   “(vi) as appropriate, other student per-  
 2                   formance information selected by the insti-  
 3                   tution, particularly information—

4                   “(I) used by the institution to  
 5                   evaluate or strengthen the institution’s  
 6                   programs; and

7                   “(II) that reflects the institution’s  
 8                   individual mission and the institu-  
 9                   tion’s distinctive goals for students;”;

10                  (C) by striking paragraph (6) and inserting  
 11                  the following:

12                  “(6) such an agency or association shall establish  
 13                  and apply review procedures throughout the accred-  
 14                  iting process, including evaluation and withdrawal  
 15                  proceedings which comply with due process procedures  
 16                  that provide for—

17                  “(A) adequate specification of requirements  
 18                  and deficiencies at the institution of higher edu-  
 19                  cation or program examined;

20                  “(B) an opportunity for a written response  
 21                  by any such institution to be included, prior to  
 22                  final action, in the evaluation and withdrawal  
 23                  proceedings;

24                  “(C) upon the written request of an institu-  
 25                  tion, an opportunity for the institution to appeal

1        *any adverse action, including denial, with-*  
 2        *drawal, suspension, or termination of accredita-*  
 3        *tion, or placement on probation of an institu-*  
 4        *tion, at a hearing prior to such action becoming*  
 5        *final, before an appeals panel that—*

6                *“(i) shall not include current members*  
 7                *of the agency or association’s underlying de-*  
 8                *cision-making body that made the adverse*  
 9                *decision; and*

10               *“(ii) is subject to a conflict of interest*  
 11               *policy; and*

12               *“(D) the right to representation by counsel*  
 13               *for such an institution during an appeal of the*  
 14               *adverse action;”;* and

15               *(D) by striking paragraph (8) and insert-*  
 16               *ing the following:*

17               *“(8) such agency or association shall make avail-*  
 18               *able to the public and the State licensing or author-*  
 19               *izing agency, and submit to the Secretary, a sum-*  
 20               *mary of agency or association actions, including—*

21               *“(A) the award of accreditation or re-*  
 22               *accreditation of an institution;*

23               *“(B) final denial, withdrawal, suspension,*  
 24               *or termination of accreditation, or placement on*  
 25               *probation of an institution, and any findings*

1       *made in connection with the action taken, to-*  
 2       *gether with the official comments of the affected*  
 3       *institution; and*

4               *“(C) any other adverse action taken with*  
 5       *respect to an institution.”;*

6       *(2) in subsection (c)—*

7               *(A) in paragraph (1), by inserting “, in-*  
 8       *cluding those regarding distance education” after*  
 9       *“their responsibilities”;*

10              *(B) by redesignating paragraphs (2)*  
 11       *through (6) as paragraphs (5) through (9);*

12              *(C) by inserting after paragraph (1) (as*  
 13       *amended by subparagraph (A)) the following:*

14              *“(2) ensures that the agency or association’s on-*  
 15       *site evaluation for accreditation or reaccreditation in-*  
 16       *cludes review of the Federally required information*  
 17       *the institution or program provides its current and*  
 18       *prospective students;*

19              *“(3) monitors the growth of programs at institu-*  
 20       *tions that are experiencing significant enrollment*  
 21       *growth;*

22              *“(4) requires an institution to submit a teach-*  
 23       *out plan for approval to the accrediting agency upon*  
 24       *the occurrence of any of the following events:*

1           “(A) *The Department notifies the accred-*  
 2           *iting agency of an action against the institution*  
 3           *pursuant to section 487(d).*

4           “(B) *The accrediting agency acts to with-*  
 5           *draw, terminate, or suspend the accreditation of*  
 6           *an institution.*

7           “(C) *The institution notifies the accrediting*  
 8           *agency that the institution intends to cease oper-*  
 9           *ations.”;*

10           *(D) in paragraph (8) (as redesignated by*  
 11           *subparagraph (B)), by striking “and” after the*  
 12           *semicolon;*

13           *(E) in subparagraph (9) (as redesignated*  
 14           *by subparagraph (B)), by striking the period*  
 15           *and inserting “; and”; and*

16           *(F) by adding at the end the following:*

17           “(10) *confirms, as a part of the agency or asso-*  
 18           *ciation’s review for accreditation or reaccreditation,*  
 19           *that the institution has transfer of credit policies—*

20           *“(A) that are publicly disclosed; and*

21           *“(B) that include a statement of whether the*  
 22           *institution denies a transfer of credit based solely*  
 23           *on the accreditation of the sending institution.”;*  
 24           *and*

1           (3) in subsection (g), by adding at the end the  
 2           following: “Nothing in this section shall be construed  
 3           to permit the Secretary to establish any criteria that  
 4           specifies, defines, or prescribes the standards that ac-  
 5           crediting agencies or associations shall use to assess  
 6           any institution’s success with respect to student  
 7           achievement.”.

8   **SEC. 492. ADMINISTRATIVE CAPACITY STANDARD.**

9           Section 498 (20 U.S.C. 1099c) is amended—

10           (1) in subsection (d)(1)(B), by inserting “and”  
 11           after the semicolon; and

12           (2) by adding at the end the following:

13           “(k) *TREATMENT OF TEACH-OUTS AT ADDITIONAL LO-*  
 14           *CATIONS.*—

15           “(1) *IN GENERAL.*—A location of a closed insti-  
 16           tution of higher education shall be eligible as an addi-  
 17           tional location of an eligible institution of higher edu-  
 18           cation, as defined pursuant to regulations of the Sec-  
 19           retary, for the purposes of a teach-out, if such teach-  
 20           out has been approved by the institution’s accrediting  
 21           agency.

22           “(2) *SPECIAL RULE.*—An institution of higher  
 23           education that conducts a teach-out through the estab-  
 24           lishment of an additional location described in para-  
 25           graph (1) shall be permitted to establish a permanent



1       *additional location at a closed institution and shall*  
 2       *not be required—*

3               *“(A) to meet the requirements of sections*  
 4               *102(b)(1)(E) and 102(c)(1)(C) for such addi-*  
 5               *tional location; or*

6               *“(B) to assume the liabilities of the closed*  
 7               *institution.”.*

8   **SEC. 493. PROGRAM REVIEW AND DATA.**

9       *Section 498A(b) (20 U.S.C. 1099c–1(b)) is amended—*

10           *(1) in paragraph (4), by striking “and” after the*  
 11           *semicolon;*

12           *(2) in paragraph (5) by striking the period and*  
 13           *inserting a semicolon; and*

14           *(3) by adding at the end the following:*

15               *“(6) provide to an institution of higher edu-*  
 16               *cation an adequate opportunity to review and re-*  
 17               *spond to any program review report and relevant ma-*  
 18               *terials related to the report before any final program*  
 19               *review report is issued;*

20               *“(7) review and take into consideration an insti-*  
 21               *tution of higher education’s response in any final*  
 22               *program review report or audit determination, and*  
 23               *include in the report or determination—*

24                   *“(A) a written statement addressing the in-*  
 25                   *stitution of higher education’s response;*

1                   “(B) a written statement of the basis for  
2                   such report or determination; and

3                   “(C) a copy of the institution’s response;  
4                   and

5                   “(8) maintain and preserve at all times the con-  
6                   fidentiality of any program review report until the  
7                   requirements of paragraphs (6) and (7) are met, and  
8                   until a final program review is issued, other than to  
9                   the extent required to comply with paragraph (5), ex-  
10                  cept that the Secretary shall promptly disclose any  
11                  and all program review reports to the institution of  
12                  higher education under review.”.

13 **SEC. 494. TIMELY INFORMATION ABOUT LOANS.**

14                  (a) *IN GENERAL.*—Title IV (20 U.S.C. 1070 et seq.)  
15 is further amended by adding at the end the following:

16 **“SEC. 499A. ACCESS TO TIMELY INFORMATION ABOUT**  
17 **LOANS.**

18                  “(a) *REGULAR BILL PROVIDING PERTINENT INFORMA-*  
19 *TION ABOUT A LOAN.*—A lender of a loan made, insured,  
20 or guaranteed under this title shall provide the borrower  
21 of such loan a bill each month or, in the case of a loan  
22 payable less frequently than monthly, a bill that cor-  
23 responds to each payment installment time period, includ-  
24 ing a clear and conspicuous notice of—

25                   “(1) the borrower’s principal borrowed;

1           “(2) the borrower’s current balance;

2           “(3) the interest rate on such loan;

3           “(4) the amount the borrower has paid in inter-  
4       est;

5           “(5) the amount of additional interest payments  
6       the borrower is expected to pay over the life of the  
7       loan;

8           “(6) the total amount the borrower has paid for  
9       the loan, including the amount the borrower has paid  
10      in interest, the amount the borrower has paid in fees,  
11      and the amount the borrower has paid against the  
12      balance, in a brief, borrower-friendly manner;

13          “(7) a description of each fee the borrower has  
14      been charged for the current payment period;

15          “(8) the date by which the borrower needs to  
16      make a payment in order to avoid additional fees;

17          “(9) the amount of such payment that will be  
18      applied to the interest, the balance, and any fees on  
19      the loan; and

20          “(10) the lender’s address and toll-free phone  
21      number for payment and billing error purposes.

22      “(b) *INFORMATION PROVIDED BEFORE COMMENCE-*  
23      *MENT OF REPAYMENT.*—A lender of a loan made, insured,  
24      or guaranteed under this title shall provide to the borrower  
25      of such loan, at least one month before the loan enters repay-

1 *ment, a clear and conspicuous notice of not less than the*  
 2 *following information:*

3           “(1) *The borrower’s options, including repay-*  
 4           *ment plans, deferments, forbearances, and discharge*  
 5           *options to which the borrower may be entitled.*

6           “(2) *The conditions under which a borrower may*  
 7           *be charged any fee, and the amount of such fee.*

8           “(3) *The conditions under which a loan may de-*  
 9           *fault, and the consequences of default.*

10           “(4) *Resources, including nonprofit organiza-*  
 11           *tions, advocates, and counselors (including the Office*  
 12           *of the Ombudsman at the Department), where bor-*  
 13           *rowers can receive advice and assistance, if such re-*  
 14           *sources exist.*

15           “(c) *INFORMATION PROVIDED DURING DELIN-*  
 16 *QUENCY.—In addition to any other information required*  
 17 *under law, a lender of a loan made, insured, or guaranteed*  
 18 *under this title shall provide a borrower in delinquency*  
 19 *with a clear and conspicuous notice of the date on which*  
 20 *the loan will default if no payment is made, the minimum*  
 21 *payment that must be made to avoid default, discharge op-*  
 22 *tions to which the borrower may be entitled, resources, in-*  
 23 *cluding nonprofit organizations, advocates, and counselors*  
 24 *(including the Office of the Ombudsman at the Depart-*

1 ment), where borrowers can receive advice and assistance,  
 2 if such resources exist.

3 “(d) *INFORMATION PROVIDED DURING DEFAULT.*—A  
 4 lender of a loan made, insured, or guaranteed under this  
 5 title shall provide a borrower in default, on not less than  
 6 2 separate occasions, with a clear and conspicuous notice  
 7 of not less than the following information:

8 “(1) *The options available to the borrower to be*  
 9 *removed from default.*

10 “(2) *The relevant fees and conditions associated*  
 11 *with each option.*”.

12 **SEC. 495. AUCTION EVALUATION AND REPORT.**

13 (a) *EVALUATION.*—If Congress enacts an Act that au-  
 14 thorizes the Secretary of Education to carry out a pilot pro-  
 15 gram under which the Secretary establishes a mechanism  
 16 for an auction of Federal PLUS Loans, then the Comp-  
 17 troller General shall evaluate such pilot program. The eval-  
 18 uation shall determine—

19 (1) *the extent of the savings to the Federal Gov-*  
 20 *ernment that are generated through the pilot pro-*  
 21 *gram, compared to the cost the Federal Government*  
 22 *would have incurred in operating the parent loan*  
 23 *program under section 428B of the Higher Education*  
 24 *Act of 1965 in the absence of the pilot program;*

1           (2) *the number of lenders that participated in*  
 2           *the pilot program, and the extent to which the pilot*  
 3           *program generated competition among lenders to par-*  
 4           *ticipate in the auctions under the pilot program;*

5           (3) *the effect of the transition to and operation*  
 6           *of the pilot program on the ability of—*

7                   (A) *lenders participating in the pilot pro-*  
 8                   *gram to originate loans made through the pilot*  
 9                   *program smoothly and efficiently;*

10                   (B) *institutions of higher education partici-*  
 11                   *pating in the pilot program to disburse loans*  
 12                   *made through the pilot program smoothly and ef-*  
 13                   *ficiently; and*

14                   (C) *the ability of parents to obtain loans*  
 15                   *made through the pilot program in a timely and*  
 16                   *efficient manner;*

17           (4) *the differential impact, if any, of the auction*  
 18           *among the States, including between rural and non-*  
 19           *rural States; and*

20           (5) *the feasibility of using the mechanism piloted*  
 21           *to operate the other loan programs under part B of*  
 22           *title IV of the Higher Education Act of 1965.*

23           (b) *REPORTS.—The Comptroller General shall—*

24                   (1) *not later than September 1, 2010, submit to*  
 25                   *the authorizing committees (as defined in section 103*

1       *of the Higher Education Act of 1965 (20 U.S.C.*  
 2       *1003)) a preliminary report regarding the findings of*  
 3       *the evaluation described in subsection (a);*

4               *(2) not later than September 1, 2012, submit to*  
 5       *the authorizing committees an interim report regard-*  
 6       *ing such findings; and*

7               *(3) not later than September 1, 2014, submit to*  
 8       *the authorizing committees a final report regarding*  
 9       *such findings.*

## 10       ***TITLE V—DEVELOPING*** 11       ***INSTITUTIONS***

### 12   ***SEC. 501. AUTHORIZED ACTIVITIES.***

13       *Section 503(b) (20 U.S.C. 1101b(b)) is amended—*

14               *(1) by redesignating paragraphs (6) through (14)*  
 15       *as paragraphs (8) through (16), respectively;*

16               *(2) in paragraph (5), by inserting “, including*  
 17       *innovative, customized remedial education and*  
 18       *English language instruction courses designed to help*  
 19       *retain students and move the students rapidly into*  
 20       *core courses and through program completion” before*  
 21       *the period at the end;*

22               *(3) by inserting after paragraph (5) the fol-*  
 23       *lowing:*

1           “(6) *Education or counseling services designed to*  
 2           *improve the financial literacy and economic literacy*  
 3           *of students or the students’ parents.*

4           “(7) *Articulation agreements and student sup-*  
 5           *port programs designed to facilitate the transfer from*  
 6           *2-year to 4-year institutions.*”; and

7           (4) *in paragraph (12) (as redesignated by para-*  
 8           *graph (1)), by striking “distance learning academic*  
 9           *instruction capabilities” and inserting “distance edu-*  
 10          *cation technologies”.*

11 **SEC. 502. POSTBACCALAUREATE OPPORTUNITIES FOR HIS-**  
 12 **PANIC AMERICANS.**

13          (a) *ESTABLISHMENT OF PROGRAM.—Title V (20*  
 14 *U.S.C. 1101 et seq.) is amended—*

15           (1) *by redesignating part B as part C;*

16           (2) *by redesignating sections 511 through 518 as*  
 17           *sections 521 through 528, respectively; and*

18           (3) *by inserting after section 505 the following:*

19          **“PART B—PROMOTING POSTBACCALAUREATE**  
 20          **OPPORTUNITIES FOR HISPANIC AMERICANS**

21          **“SEC. 511. PROGRAM AUTHORITY AND ELIGIBILITY.**

22           “(a) *PROGRAM AUTHORIZED.—Subject to the avail-*  
 23           *ability of funds appropriated to carry out this part, the*  
 24           *Secretary shall award grants, on a competitive basis, to eli-*



1 gible institutions to enable the eligible institutions to carry  
 2 out the authorized activities described in section 512.

3 “(b) *ELIGIBILITY.*—For the purposes of this part, an  
 4 ‘eligible institution’ means an institution of higher edu-  
 5 cation that—

6 “(1) is a Hispanic-serving institution (as de-  
 7 fined in section 502); and

8 “(2) offers a postbaccalaureate certificate or de-  
 9 gree granting program.

10 **“SEC. 512. AUTHORIZED ACTIVITIES.**

11 “Grants awarded under this part shall be used for 1  
 12 or more of the following activities:

13 “(1) Purchase, rental, or lease of scientific or  
 14 laboratory equipment for educational purposes, in-  
 15 cluding instructional and research purposes.

16 “(2) Construction, maintenance, renovation, and  
 17 improvement in classroom, library, laboratory, and  
 18 other instructional facilities, including purchase or  
 19 rental of telecommunications technology equipment or  
 20 services.

21 “(3) Purchase of library books, periodicals, tech-  
 22 nical and other scientific journals, microfilm, micro-  
 23 fiche, and other educational materials, including tele-  
 24 communications program materials.

1           “(4) *Support for needy postbaccalaureate stu-*  
 2           *dents, including outreach, academic support services,*  
 3           *mentoring, scholarships, fellowships, and other finan-*  
 4           *cial assistance, to permit the enrollment of such stu-*  
 5           *dents in postbaccalaureate certificate and degree*  
 6           *granting programs.*

7           “(5) *Support of faculty exchanges, faculty devel-*  
 8           *opment, faculty research, curriculum development,*  
 9           *and academic instruction.*

10           “(6) *Creating or improving facilities for Internet*  
 11           *or other distance education technologies, including*  
 12           *purchase or rental of telecommunications technology*  
 13           *equipment or services.*

14           “(7) *Collaboration with other institutions of*  
 15           *higher education to expand postbaccalaureate certifi-*  
 16           *cate and degree offerings.*

17           “(8) *Other activities proposed in the application*  
 18           *submitted pursuant to section 513 that are approved*  
 19           *by the Secretary as part of the review and acceptance*  
 20           *of such application.*

21   **“SEC. 513. APPLICATION AND DURATION.**

22           “(a) *APPLICATION.—Any eligible institution may*  
 23           *apply for a grant under this part by submitting an appli-*  
 24           *cation to the Secretary at such time and in such manner*  
 25           *as the Secretary may require. Such application shall dem-*

1 onstrate how the grant funds will be used to improve  
 2 postbaccalaureate education opportunities for Hispanic  
 3 and low-income students and will lead to such students'  
 4 greater financial independence.

5 “(b) *DURATION*.—Grants under this part shall be  
 6 awarded for a period not to exceed 5 years.

7 “(c) *LIMITATION*.—The Secretary may not award  
 8 more than 1 grant under this part in any fiscal year to  
 9 any Hispanic-serving institution.”.

10 **SEC. 503. APPLICATIONS.**

11 Section 521(b)(1)(A) (as redesignated by section  
 12 502(a)(2)) (20 U.S.C. 1103(b)(1)(A)) is amended by strik-  
 13 ing “subsection (b)” and inserting “subsection (c)”.

14 **SEC. 504. COOPERATIVE ARRANGEMENTS.**

15 Section 524(a) (as redesignated by section 502(a)(2))  
 16 (20 U.S.C. 1103c(a)) is amended by striking “section 503”  
 17 and inserting “sections 503 and 512”.

18 **SEC. 505. AUTHORIZATION OF APPROPRIATIONS.**

19 Section 528(a) (as redesignated by section 502(a)(2))  
 20 (20 U.S.C. 1103g(a)) is amended—

21 (1) by inserting “part A of” after “carry out”;

22 (2) by striking “\$62,500,000 for fiscal year  
 23 1999” and all that follows through the period and in-  
 24 serting “such sums as may be necessary for fiscal  
 25 year 2008 and each of the 5 succeeding fiscal years.”;

1           (3) by striking “(a) AUTHORIZATIONS.—” and  
2           inserting the following:

3           “(a) AUTHORIZATIONS.—

4           “(1) PART A.—There are”; and

5           (4) by adding at the end the following:

6           “(2) PART B.—There are authorized to be appro-  
7           priated to carry out part B of this title such sums as  
8           may be necessary for fiscal year 2008 and each of the  
9           5 succeeding fiscal years.”.

## 10           **TITLE VI—INTERNATIONAL** 11           **EDUCATION PROGRAMS**

### 12           **SEC. 601. FINDINGS.**

13           Section 601 (20 U.S.C. 1121) is amended—

14           (1) in the section heading, by striking “**AND**  
15           **PURPOSES**” and inserting “; **PURPOSES; CON-**  
16           **SULTATION; SURVEY**”;

17           (2) in subsection (a)(3), by striking “post-Cold  
18           War”;

19           (3) in subsection (b)(1)(D), by inserting “, in-  
20           cluding through linkages with overseas institutions”  
21           before the semicolon; and

22           (4) by adding at the end the following:

23           “(c) CONSULTATION.—The Secretary shall, prior to re-  
24           questing applications for funding under this title during  
25           each grant cycle, consult with and receive recommendations

1 *regarding national need for expertise in foreign languages*  
 2 *and world regions from the head officials of a wide range*  
 3 *of Federal agencies. Such agencies shall provide informa-*  
 4 *tion to the Secretary regarding how the agencies utilize ex-*  
 5 *pertise and resources provided by grantees under this title.*  
 6 *The Secretary shall take into account such recommenda-*  
 7 *tions and information when requesting applications for*  
 8 *funding under this title, and shall make available to appli-*  
 9 *cants a list of areas identified as areas of national need.*

10       “(d) *SURVEY.—The Secretary shall assist grantees in*  
 11 *developing a survey to administer to students who have par-*  
 12 *ticipated in programs under this title to determine*  
 13 *postgraduation placement. All grantees, where applicable,*  
 14 *shall administer such survey not less often than annually*  
 15 *and report such data to the Secretary.”.*

16 **SEC. 602. GRADUATE AND UNDERGRADUATE LANGUAGE**  
 17 **AND AREA CENTERS AND PROGRAMS.**

18       *Section 602 (20 U.S.C. 1122) is amended—*

19               *(1) in subsection (a)—*

20                       *(A) in paragraph (2)—*

21                               *(i) in subparagraph (G), by striking*

22                                       *“and” after the semicolon;*

23                               *(ii) in subparagraph (H), by striking*

24                                       *the period and inserting “; and”; and*

1                   (iii) by adding at the end the fol-  
 2                   lowing:

3                   “(I) support for instructors of the less com-  
 4                   monly taught languages.”; and

5                   (B) in paragraph (4)—

6                   (i) by redesignating subparagraphs (C)  
 7                   through (E) as subparagraphs (D) through  
 8                   (F), respectively;

9                   (ii) by inserting after subparagraph  
 10                  (B) the following:

11                  “(C) Programs of linkage or outreach be-  
 12                  tween or among—

13                   “(i) foreign language, area studies, or  
 14                   other international fields; and

15                   “(ii) State educational agencies or  
 16                   local educational agencies.”;

17                   (iii) in subparagraph (D) (as redesign-  
 18                   ated by clause (i)) by inserting “, includ-  
 19                   ing Federal or State scholarship programs  
 20                   for students in related areas” before the pe-  
 21                   riod at the end; and

22                   (iv) in subparagraph (F) (as redesign-  
 23                   ated by clause (i)), by striking “and (D)”  
 24                   and inserting “(D), and (E)”;

25                  (2) in subsection (b)—

1           (A) in the subsection heading, by striking  
2           “GRADUATE”; and

3           (B) by striking paragraph (2) and inserting  
4           the following:

5           “(2) *ELIGIBLE STUDENTS*.—A student receiving  
6           a stipend described in paragraph (1) shall be en-  
7           gaged—

8                   “(A) in an instructional program with stat-  
9                   ed performance goals for functional foreign lan-  
10                  guage use or in a program developing such per-  
11                  formance goals, in combination with area stud-  
12                  ies, international studies, or the international  
13                  aspects of a professional studies program; and

14                   “(B)(i) in the case of an undergraduate stu-  
15                  dent, in the intermediate or advanced study of a  
16                  less commonly taught language; or

17                   “(ii) in the case of a graduate student, in  
18                  graduate study in connection with a program  
19                  described in subparagraph (A), including—

20                           “(I) predissertation level study;

21                           “(II) preparation for dissertation re-  
22                          search;

23                           “(III) dissertation research abroad; or

24                           “(IV) dissertation writing.”;

1           (3) *by striking subsection (d) and inserting the*  
 2     *following:*

3           “(d) *ALLOWANCES.—*

4                 “(1) *GRADUATE LEVEL RECIPIENTS.—A stipend*  
 5     *awarded to a graduate level recipient may include al-*  
 6     *lowances for dependents and for travel for research*  
 7     *and study in the United States and abroad.*

8                 “(2) *UNDERGRADUATE LEVEL RECIPIENTS.—A*  
 9     *stipend awarded to an undergraduate level recipient*  
 10    *may include an allowance for educational programs*  
 11    *in the United States or educational programs abroad*  
 12    *that—*

13                     “(A) *are closely linked to the overall goals*  
 14    *of the recipient’s course of study; and*

15                     “(B) *have the purpose of promoting foreign*  
 16    *language fluency and knowledge of foreign cul-*  
 17    *tures.”; and*

18           (4) *by adding at the end the following:*

19                 “(e) *APPLICATION.—Each institution or combination*  
 20    *of institutions desiring a grant under this section shall sub-*  
 21    *mit an application to the Secretary at such time, in such*  
 22    *manner, and accompanied by such information and assur-*  
 23    *ances as the Secretary may require. Each application shall*  
 24    *include an explanation of how the activities funded by the*  
 25    *grant will reflect diverse perspectives and a wide range of*



1 *views and generate debate on world regions and inter-*  
 2 *national affairs. Each application shall also describe how*  
 3 *the applicant will address disputes regarding whether ac-*  
 4 *tivities funded under the application reflect diverse perspec-*  
 5 *tives and a wide range of views. Each application shall also*  
 6 *include a description of how the applicant will encourage*  
 7 *government service in areas of national need, as identified*  
 8 *by the Secretary, as well as in needs in the education, busi-*  
 9 *ness, and nonprofit sectors.”.*

10 **SEC. 603. UNDERGRADUATE INTERNATIONAL STUDIES AND**  
 11 **FOREIGN LANGUAGE PROGRAMS.**

12 *Section 604 (20 U.S.C. 1124) is amended—*

13 *(1) in subsection (a)—*

14 *(A) in paragraph (2)—*

15 *(i) by redesignating subparagraphs (I)*  
 16 *through (M) as subparagraphs (J) through*  
 17 *(N), respectively; and*

18 *(ii) by inserting after subparagraph*  
 19 *(H) the following:*

20 *“(I) providing subgrants to undergraduate*  
 21 *students for educational programs abroad that—*

22 *“(i) are closely linked to the overall*  
 23 *goals of the program for which the grant is*  
 24 *awarded; and*

1                   “(ii) have the purpose of promoting  
2                   foreign language fluency and knowledge of  
3                   foreign cultures;”; and

4                   (B) in paragraph (7)—

5                   (i) in subparagraph (C), by striking  
6                   “and” after the semicolon;

7                   (ii) in subparagraph (D), by striking  
8                   the period at the end and inserting a semi-  
9                   colon; and

10                  (iii) by adding at the end the fol-  
11                  lowing:

12                  “(E) a description of how the applicant will  
13                  provide information to students regarding feder-  
14                  ally funded scholarship programs in related  
15                  areas;

16                  “(F) an explanation of how the activities  
17                  funded by the grant will reflect diverse perspec-  
18                  tives and a wide range of views and generate de-  
19                  bate on world regions and international affairs,  
20                  where applicable;

21                  “(G) a description of how the applicant will  
22                  address disputes regarding whether the activities  
23                  funded under the application reflect diverse per-  
24                  spectives and a wide range of views; and

1           “(H) a description of how the applicant  
 2           will encourage service in areas of national need  
 3           as identified by the Secretary.”; and  
 4           (2) in subsection (c)—

5           (A) by striking “FUNDING SUPPORT.—The  
 6           Secretary” and inserting “FUNDING SUPPORT.—  
 7           “(1) THE SECRETARY.—The Secretary”;

8           (B) by striking “10” and inserting “20”;  
 9           and

10          (C) by adding at the end the following:

11          “(2) GRANTEES.—Of the total amount of grant  
 12          funds awarded to a grantee under this section, the  
 13          grantee may use not more than 10 percent of such  
 14          funds for the activity described in subsection  
 15          (a)(2)(I).”.

16 **SEC. 604. RESEARCH; STUDIES.**

17          Section 605(a) (20 U.S.C. 1125(a)) is amended—

18          (1) in paragraph (8), by striking “and” after the  
 19          semicolon;

20          (2) in paragraph (9), by striking the period and  
 21          inserting a semicolon; and

22          (3) by adding at the end the following:

23          “(10) evaluation of the extent to which programs  
 24          assisted under this title reflect diverse perspectives

1        *and a wide range of views and generate debate on*  
 2        *world regions and international affairs;*

3                *“(11) the systematic collection, analysis, and dis-*  
 4        *semination of data that contribute to achieving the*  
 5        *purposes of this part; and*

6                *“(12) support for programs or activities to make*  
 7        *data collected, analyzed, or disseminated under this*  
 8        *section publicly available and easy to understand.”.*

9    **SEC. 605. TECHNOLOGICAL INNOVATION AND COOPERA-**  
 10        **TION FOR FOREIGN INFORMATION ACCESS.**

11        *Section 606 (20 U.S.C. 1126) is amended—*

12                *(1) in subsection (a)—*

13                        *(A) by striking “new electronic tech-*  
 14                        *nologies” and inserting “electronic technologies”;*

15                        *(B) by inserting “from foreign sources”*  
 16                        *after “disseminate information”;*

17                        *(C) in the subsection heading, by striking*  
 18                        *“AUTHORITY.—The Secretary” and inserting*

19                        *“AUTHORITY.—*

20                        *“(1) IN GENERAL.—The Secretary”; and*

21                        *(D) by adding at the end the following:*

22                        *“(2) PARTNERSHIPS WITH NOT-FOR-PROFIT EDU-*  
 23        *CATIONAL ORGANIZATIONS.—The Secretary may*  
 24        *award grants under this section to carry out the ac-*  
 25        *tivities authorized under this section to the following:*

1                   “(A) *An institution of higher education.*

2                   “(B) *A public or nonprofit private library.*

3                   “(C) *A consortium of an institution of high-*  
4 *er education and 1 or more of the following:*

5                   “(i) *Another institution of higher edu-*  
6 *cation.*

7                   “(ii) *A library.*

8                   “(iii) *A not-for-profit educational or-*  
9 *ganization.”;*

10                  (2) *in subsection (b)—*

11                   (A) *in paragraph (1), by striking “to facili-*  
12 *tate access to” and inserting “to acquire, facili-*  
13 *tate access to,”;*

14                   (B) *in paragraph (2), by inserting “or*  
15 *standards for” after “means of”;*

16                   (C) *in paragraph (6), by striking “and”*  
17 *after the semicolon;*

18                   (D) *in paragraph (7), by striking the pe-*  
19 *riod and inserting a semicolon; and*

20                   (E) *by adding at the end the following:*

21                   “(8) *to establish linkages to facilitate carrying*  
22 *out the activities described in this subsection be-*  
23 *tween—*

1           “(A) the institutions of higher education, li-  
 2           braries, and consortia receiving grants under  
 3           this section; and

4           “(B) institutions of higher education, not-  
 5           for-profit educational organizations, and librar-  
 6           ies overseas; and

7           “(9) to carry out other activities that the Sec-  
 8           retary determines are consistent with the purpose of  
 9           the grants or contracts awarded under this section.”;  
 10          and

11          (3) in subsection (c), by striking “institution or  
 12          consortium” and inserting “institution of higher edu-  
 13          cation, library, or consortium”.

14   **SEC. 606. SELECTION OF CERTAIN GRANT RECIPIENTS.**

15          Section 607 (20 U.S.C. 1127) is amended—

16          (1) in subsection (a), by striking “evaluates the  
 17          applications for comprehensive and undergraduate  
 18          language and area centers and programs.” and in-  
 19          serting “evaluates—

20               “(1) the applications for comprehensive foreign  
 21               language and area or international studies centers  
 22               and programs; and

23               “(2) the applications for undergraduate foreign  
 24               language and area or international studies centers  
 25               and programs.”; and

1           (2) *in subsection (b), by adding at the end the*  
 2           *following: “The Secretary shall also consider an ap-*  
 3           *plicant’s record of placing students into service in*  
 4           *areas of national need and an applicant’s stated ef-*  
 5           *forts to increase the number of such students that go*  
 6           *into such service.”.*

7   **SEC. 607. AMERICAN OVERSEAS RESEARCH CENTERS.**

8           *Section 609 (20 U.S.C. 1128a) is amended by adding*  
 9           *at the end the following:*

10          “(e) *APPLICATION.—Each center desiring a grant*  
 11          *under this section shall submit an application to the Sec-*  
 12          *retary at such time, in such manner, and accompanied by*  
 13          *such information and assurances as the Secretary may re-*  
 14          *quire.”.*

15   **SEC. 608. AUTHORIZATION OF APPROPRIATIONS FOR**  
 16                               **INTERNATIONAL AND FOREIGN LANGUAGE**  
 17                               **STUDIES.**

18          *Section 610 (20 U.S.C. 1128b) is amended by striking*  
 19          *“\$80,000,000 for fiscal year 1999” and all that follows*  
 20          *through the period and inserting “such sums as may be nec-*  
 21          *essary for fiscal year 2008 and each of the 5 succeeding*  
 22          *fiscal years.”.*

1 **SEC. 609. CENTERS FOR INTERNATIONAL BUSINESS EDU-**  
 2 **CATION.**

3 *Section 612(f)(3) (20 U.S.C. 1130–1(f)(3)) is amended*  
 4 *by inserting “, and that diverse perspectives will be made*  
 5 *available to students in programs under this section” before*  
 6 *the semicolon.*

7 **SEC. 610. EDUCATION AND TRAINING PROGRAMS.**

8 *Section 613(c) (20 U.S.C. 1130a(c)) is amended by*  
 9 *adding at the end the following: “Each such application*  
 10 *shall include an assurance that, where applicable, the ac-*  
 11 *tivities funded by the grant will reflect diverse perspectives*  
 12 *and a wide range of views on world regions and inter-*  
 13 *national affairs.”.*

14 **SEC. 611. AUTHORIZATION OF APPROPRIATIONS FOR BUSI-**  
 15 **NESS AND INTERNATIONAL EDUCATION PRO-**  
 16 **GRAMS.**

17 *Section 614 (20 U.S.C. 1130b) is amended—*

18 *(1) in subsection (a), by striking “\$11,000,000*  
 19 *for fiscal year 1999” and all that follows through “fis-*  
 20 *cal years” and inserting “such sums as may be nec-*  
 21 *essary for fiscal year 2008 and each of the 5 suc-*  
 22 *ceeding fiscal years”; and*

23 *(2) in subsection (b), by striking “\$7,000,000 for*  
 24 *fiscal year 1999” and all that follows through “fiscal*  
 25 *years,” and inserting “such sums as may be necessary*



1       *for fiscal year 2008 and each of the 5 succeeding fis-*  
 2       *cal years”.*

3   **SEC. 612. MINORITY FOREIGN SERVICE PROFESSIONAL DE-**  
 4       **VELOPMENT PROGRAM.**

5       *Section 621 (20 U.S.C. 1131) is amended—*

6           *(1) in subsection (c), by adding at the end the*  
 7       *following: “Each application shall include a descrip-*  
 8       *tion of how the activities funded by the grant will re-*  
 9       *flect diverse perspectives and a wide range of views on*  
 10       *world regions and international affairs, where appli-*  
 11       *cable.”; and*

12          *(2) in subsection (e)—*

13            *(A) by striking “MATCH REQUIRED.—The*  
 14       *eligible” and inserting “MATCHING FUNDS.—*

15        *“(1) IN GENERAL.—Subject to paragraph (2), the*  
 16        *eligible”; and*

17            *(B) by adding at the end the following:*

18        *“(2) WAIVER.—The Secretary may waive the re-*  
 19        *quirement of paragraph (1) for an eligible recipient*  
 20        *if the Secretary determines such waiver is appro-*  
 21        *priate.”.*

22   **SEC. 613. INSTITUTIONAL DEVELOPMENT.**

23       *Section 622 (20 U.S.C. 1131–1) is amended—*

24          *(1) in subsection (a)—*

1           (A) by striking “Tribally Controlled Col-  
 2           leges or Universities” and inserting “tribally  
 3           controlled colleges or universities”; and

4           (B) by striking “international affairs pro-  
 5           grams.” and inserting “international affairs,  
 6           international business, and foreign language  
 7           study programs, including the teaching of for-  
 8           eign languages, at such colleges, universities, and  
 9           institutions, respectively, which may include col-  
 10          laboration with institutions of higher education  
 11          that receive funding under this title.”; and

12          (2) in subsection (c)—

13               (A) by striking paragraphs (1) and (3);

14               (B) by redesignating paragraphs (2) and  
 15               (4) as paragraphs (1) and (2), respectively; and

16               (C) in paragraph (1) (as redesignated by  
 17               subparagraph (B)), by inserting “and” after the  
 18               semicolon.

19 **SEC. 614. STUDY ABROAD PROGRAM.**

20          Section 623(a) (20 U.S.C. 1131a(a)) is amended—

21               (1) by striking “as defined in section 322 of this  
 22               Act”; and

23               (2) by striking “tribally controlled Indian com-  
 24               munity colleges as defined in the Tribally Controlled

1        *Community College Assistance Act of 1978*” and in-  
 2        *serting “tribally controlled colleges or universities”.*

3    **SEC. 615. ADVANCED DEGREE IN INTERNATIONAL RELA-**  
 4        **TIONS.**

5        *Section 624 (20 U.S.C. 1131b) is amended—*

6            (1) *in the section heading, by striking “MAS-*  
 7        ***TERS*” and inserting “ADVANCED”;**

8            (2) *in the first sentence, by inserting “, and in*  
 9        *exceptional circumstances, a doctoral degree,” after*  
 10        *“masters degree”;*

11           (3) *in the second sentence, by striking “masters*  
 12        *degree” and inserting “advanced degree”; and*

13           (4) *in the fourth sentence, by striking “United*  
 14        *States” and inserting “United States.”.*

15    **SEC. 616. INTERNSHIPS.**

16        *Section 625 (20 U.S.C. 1131c) is amended—*

17           (1) *in subsection (a)—*

18                (A) *by striking “as defined in section 322*  
 19        *of this Act”;*

20                (B) *by striking “tribally controlled Indian*  
 21        *community colleges as defined in the Tribally*  
 22        *Controlled Community College Assistance Act of*  
 23        *1978” and inserting “tribally controlled colleges*  
 24        *or universities”;*

1                   (C) by striking “an international” and in-  
 2                   serting “international,”; and

3                   (D) by striking “the United States Informa-  
 4                   tion Agency” and inserting “the Department of  
 5                   State”; and

6                   (2) in subsection (c)(1)—

7                   (A) in subparagraph (E), by inserting  
 8                   “and” after the semicolon;

9                   (B) in subparagraph (F), by striking “;  
 10                  and” and inserting a period; and

11                  (C) by striking subparagraph (G).

12 **SEC. 617. FINANCIAL ASSISTANCE.**

13               Part C of title VI (20 U.S.C. 1131 et seq.) is further  
 14               amended—

15               (1) by redesignating sections 626, 627, and 628  
 16               as sections 627, 628, and 629, respectively; and

17               (2) by inserting after section 625 the following:

18 **“SEC. 626. FINANCIAL ASSISTANCE.**

19               “(a) *AUTHORITY.*—The Institute may provide finan-  
 20               cial assistance, in the form of summer stipends described  
 21               in subsection (b) and Ralph Bunche scholarship assistance  
 22               described in subsection (c), to needy students to facilitate  
 23               the participation of the students in the Institute’s programs  
 24               under this part.

25               “(b) *SUMMER STIPENDS.*—

1           “(1) *REQUIREMENTS.*—A student receiving a  
 2           summer stipend under this section shall use such sti-  
 3           pend to defray the student’s cost of participation in  
 4           a summer institute program funded under this part,  
 5           including the costs of travel, living, and educational  
 6           expenses necessary for the student’s participation in  
 7           such program.

8           “(2) *AMOUNT.*—A summer stipend awarded to a  
 9           student under this section shall not exceed \$3,000 per  
 10          summer.

11          “(c) *RALPH BUNCHE SCHOLARSHIP.*—

12           “(1) *REQUIREMENTS.*—A student receiving a  
 13          Ralph Bunche scholarship under this section—

14           “(A) shall be a full-time student at an insti-  
 15          tution of higher education who is accepted into  
 16          a program funded under this part; and

17           “(B) shall use such scholarship to pay costs  
 18          related to the cost of attendance, as defined in  
 19          section 472, at the institution of higher edu-  
 20          cation in which the student is enrolled.

21           “(2) *AMOUNT AND DURATION.*—A Ralph Bunche  
 22          scholarship awarded to a student under this section  
 23          shall not exceed \$5,000 per academic year.”.

1 **SEC. 618. REPORT.**

2       Section 627 (as redesignated by section 617(1)) (20  
3 U.S.C. 1131d) is amended by striking “annually” and in-  
4 serting “biennially”.

5 **SEC. 619. GIFTS AND DONATIONS.**

6       Section 628 (as redesignated by section 617(1)) (20  
7 U.S.C. 1131e) is amended by striking “annual report de-  
8 scribed in section 626” and inserting “biennial report de-  
9 scribed in section 627”.

10 **SEC. 620. AUTHORIZATION OF APPROPRIATIONS FOR THE**  
11 **INSTITUTE FOR INTERNATIONAL PUBLIC**  
12 **POLICY.**

13       Section 629 (as redesignated by section 617(1)) (20  
14 U.S.C. 1131f) is amended by striking “\$10,000,000 for fis-  
15 cal year 1999” and all that follows through the period and  
16 inserting “such sums as may be necessary for fiscal year  
17 2008 and each of the 5 succeeding fiscal years.”.

18 **SEC. 621. DEFINITIONS.**

19       Section 631 (20 U.S.C. 1132) is amended—

20               (1) by striking paragraph (7);

21               (2) by redesignating paragraphs (2), (3), (4),  
22               (5), (6), (8), and (9), as paragraphs (7), (4), (8), (2),  
23               (10), (6), and (3), respectively;

24               (3) in paragraph (2), as redesignated by para-  
25               graph (2), by striking “comprehensive language and

1       *area center” and inserting “comprehensive foreign*  
 2       *language and area or international studies center”;*

3               *(4) in paragraph (3), as redesignated by para-*  
 4       *graph (2), by striking the period at the end and in-*  
 5       *serting a semicolon;*

6               *(5) by inserting after paragraph (4), as redesign-*  
 7       *ated by paragraph (2), the following:*

8               *“(5) the term ‘historically Black college and uni-*  
 9       *versity’ has the meaning given the term ‘part B insti-*  
 10       *tution’ in section 322;”;*

11               *(6) in paragraph (6), as redesignated by para-*  
 12       *graph (2), by striking “and” after the semicolon;*

13               *(7) by inserting after paragraph (8), as redesign-*  
 14       *ated by paragraph (2), the following:*

15               *“(9) the term ‘tribally controlled college or uni-*  
 16       *versity’ has the meaning given the term in section 2*  
 17       *of the Tribally Controlled College or University As-*  
 18       *sistance Act of 1978 (25 U.S.C. 1801); and”;* and

19               *(8) in paragraph (10), as redesignated by para-*  
 20       *graph (2), by striking “undergraduate language and*  
 21       *area center” and inserting “undergraduate foreign*  
 22       *language and area or international studies center”.*

23   **SEC. 622. ASSESSMENT AND ENFORCEMENT.**

24       *Part D of title VI (20 U.S.C. 1132) is amended by*  
 25       *adding at the end the following:*

1 **“SEC. 632. ASSESSMENT; ENFORCEMENT; RULE OF CON-**  
 2 **STRUCTION.**

3       “(a) *IN GENERAL.*—*The Secretary is authorized to as-*  
 4 *sess and ensure compliance with all the conditions and*  
 5 *terms of grants provided under this title. If a complaint*  
 6 *regarding activities funded under this title is not resolved*  
 7 *under the process outlined in the relevant grantee’s applica-*  
 8 *tion, such complaint shall be filed with the Department and*  
 9 *reviewed by the Secretary. The Secretary shall take the re-*  
 10 *view of such complaints into account when determining the*  
 11 *renewal of grants.*

12       “(b) *RULE OF CONSTRUCTION.*—*Nothing in this title*  
 13 *shall be construed to authorize the Secretary to mandate,*  
 14 *direct, or control an institution of higher education’s spe-*  
 15 *cific instructional content, curriculum, or program of in-*  
 16 *struction.*

17 **“SEC. 633. EVALUATION, OUTREACH, AND INFORMATION.**

18       *“The Secretary may use not more than 1 percent of*  
 19 *the funds made available under this title to carry out pro-*  
 20 *gram evaluation, national outreach, and information dis-*  
 21 *semination activities relating to the programs authorized*  
 22 *under this title.*

23 **“SEC. 634. BIENNIAL REPORT.**

24       *“The Secretary shall, in consultation and collabora-*  
 25 *tion with the Secretary of State, the Secretary of Defense,*  
 26 *and the heads of other relevant Federal agencies, submit a*



1 *biennial report that identifies areas of national need in for-*  
 2 *eign language, area, and international studies as such stud-*  
 3 *ies relate to government, education, business, and nonprofit*  
 4 *needs, and a plan to address those needs. The report shall*  
 5 *be provided to the authorizing committees and made avail-*  
 6 *able to the public.”.*

7 ***TITLE VII—GRADUATE AND***  
 8 ***POSTSECONDARY IMPROVE-***  
 9 ***MENT PROGRAMS***

10 ***SEC. 701. PURPOSE.***

11 *Section 700(1)(B)(i) (20 U.S.C. 1133(1)(B)(i)) is*  
 12 *amended by inserting “, including those areas critical to*  
 13 *United States national and homeland security needs such*  
 14 *as mathematics, science, and engineering” before the semi-*  
 15 *colon at the end.*

16 ***SEC. 702. ALLOCATION OF JACOB K. JAVITS FELLOWSHIPS.***

17 *Section 702(a)(1) (20 U.S.C. 1134a(a)(1)) is amended*  
 18 *to read as follows:*

19 *“(1) APPOINTMENT.—*

20 *“(A) IN GENERAL.—The Secretary shall ap-*  
 21 *point a Jacob K. Javits Fellows Program Fel-*  
 22 *lowship Board (referred to in this subpart as the*  
 23 *‘Board’) consisting of 9 individuals representa-*  
 24 *tive of both public and private institutions of*

1           *higher education who are especially qualified to*  
 2           *serve on the Board.*

3           “(B) *QUALIFICATIONS.*—*In making ap-*  
 4           *pointments under subparagraph (A), the Sec-*  
 5           *retary shall—*

6                     “(i) *give due consideration to the ap-*  
 7                     *pointment of individuals who are highly re-*  
 8                     *spected in the academic community;*

9                     “(ii) *assure that individuals appointed*  
 10                    *to the Board are broadly representative of a*  
 11                    *range of disciplines in graduate education*  
 12                    *in arts, humanities, and social sciences;*

13                    “(iii) *appoint members to represent the*  
 14                    *various geographic regions of the United*  
 15                    *States; and*

16                    “(iv) *include representatives from mi-*  
 17                    *nority institutions, as defined in section*  
 18                    *365.”.*

19   **SEC. 703. STIPENDS.**

20           *Section 703(a) (20 U.S.C. 1134b(a)) is amended by*  
 21           *striking “graduate fellowships” and inserting “Graduate*  
 22           *Research Fellowship Program”.*

1 **SEC. 704. AUTHORIZATION OF APPROPRIATIONS FOR THE**  
 2 **JACOB K. JAVITS FELLOWSHIP PROGRAM.**

3 *Section 705 (20 U.S.C. 1134d) is amended by striking*  
 4 *“\$30,000,000 for fiscal year 1999” and all that follows*  
 5 *through the period and inserting “such sums as may be nec-*  
 6 *essary for fiscal year 2008 and each of the 5 succeeding*  
 7 *fiscal years to carry out this subpart.”.*

8 **SEC. 705. INSTITUTIONAL ELIGIBILITY UNDER THE GRAD-**  
 9 **UATE ASSISTANCE IN AREAS OF NATIONAL**  
 10 **NEED PROGRAM.**

11 *Section 712(b) (20 U.S.C. 1135a(b)) is amended to*  
 12 *read as follows:*

13 *“(b) DESIGNATION OF AREAS OF NATIONAL NEED.—*  
 14 *After consultation with appropriate Federal and nonprofit*  
 15 *agencies and organizations, including the National Science*  
 16 *Foundation, the Department of Defense, the Department of*  
 17 *Homeland Security, the National Academy of Sciences, and*  
 18 *the Bureau of Labor Statistics, the Secretary shall designate*  
 19 *areas of national need. In making such designations, the*  
 20 *Secretary shall take into consideration—*

21 *“(1) the extent to which the interest in the area*  
 22 *is compelling;*

23 *“(2) the extent to which other Federal programs*  
 24 *support postbaccalaureate study in the area con-*  
 25 *cerned;*

1           “(3) an assessment of how the program may  
2           achieve the most significant impact with available re-  
3           sources; and

4           “(4) an assessment of current and future profes-  
5           sional workforce needs of the United States.”.

6   **SEC. 706. AWARDS TO GRADUATE STUDENTS.**

7           Section 714 (20 U.S.C. 1135c) is amended—

8           (1) in subsection (b)—

9                   (A) by striking “1999–2000” and inserting  
10                  “2008–2009”; and

11                  (B) by striking “graduate fellowships” and  
12                  inserting “Graduate Research Fellowship Pro-  
13                  gram”; and

14           (2) in subsection (c)—

15                   (A) by striking “716(a)” and inserting  
16                  “715(a)”; and

17                  (B) by striking “714(b)(2)” and inserting  
18                  “713(b)(2)”.

19   **SEC. 707. ADDITIONAL ASSISTANCE FOR COST OF EDU-**  
20           **CATION.**

21           Section 715(a)(1) (20 U.S.C. 1135d(a)(1)) is amend-  
22           ed—

23                   (1) by striking “1999–2000” and inserting  
24                  “2008–2009”; and

1           (2) by striking “1998–1999” and inserting  
2           “2007–2008”.

3   **SEC. 708. AUTHORIZATION OF APPROPRIATIONS FOR THE**  
4                   **GRADUATE ASSISTANCE IN AREAS OF NA-**  
5                   **TIONAL NEED PROGRAM.**

6           Section 716 (20 U.S.C. 1135e) is amended by striking  
7   “\$35,000,000 for fiscal year 1999” and all that follows  
8   through the period and inserting “such sums as may be nec-  
9   essary for fiscal year 2008 and each of the 5 succeeding  
10   fiscal years to carry out this subpart.”.

11   **SEC. 709. LEGAL EDUCATIONAL OPPORTUNITY PROGRAM.**

12           Section 721 (20 U.S.C. 1136) is amended—

13           (1) in subsection (a)—

14                   (A) by inserting “secondary school and”  
15                   after “disadvantaged”; and

16                   (B) by inserting “and admission to law  
17                   practice” before the period at the end;

18           (2) in the matter preceding paragraph (1) of  
19   subsection (b), by inserting “secondary school student  
20   or” before “college student”;

21           (3) in subsection (c)—

22                   (A) in paragraph (1), by inserting “sec-  
23                   ondary school and” before “college students”;

24                   (B) by striking paragraph (2) and inserting  
25                   the following:

1           “(2) to prepare such students for successful com-  
 2           pletion of a baccalaureate degree and for study at ac-  
 3           credited law schools, and to assist them with the de-  
 4           velopment of analytical skills, writing skills, and  
 5           study methods to enhance the students’ success and  
 6           promote the students’ admission to and completion of  
 7           law school;”;

8                   (C) in paragraph (4), by striking “and”  
 9           after the semicolon;

10                   (D) by striking paragraph (5) and insert-  
 11           ing the following:

12           “(4) to motivate and prepare such students—

13                   “(A) with respect to law school studies and  
 14           practice in low-income communities; and

15                   “(B) to provide legal services to low-income  
 16           individuals and families; and;”; and

17                   (E) by adding at the end the following:

18           “(6) to award Thurgood Marshall Fellowships to  
 19           eligible law school students—

20                   “(A) who participated in summer institutes  
 21           under subsection (d)(6) and who are enrolled in  
 22           an accredited law school; or

23                   “(B) who have successfully completed sum-  
 24           mer institute programs comparable to the sum-  
 25           mer institutes under subsection (d) that are cer-

1           *tified by the Council on Legal Education Oppor-*  
 2           *tunity.”;*

3           *(4) in subsection (d)—*

4                 *(A) in the matter preceding paragraph (1),*  
 5           *by inserting “pre-college programs, under-*  
 6           *graduate” before “pre-law”;*

7                 *(B) in paragraph (1)—*

8                     *(i) in subparagraph (B), by inserting*  
 9                 *“law school” before “graduation”; and*

10                 *(ii) by striking subparagraph (D) and*  
 11                 *inserting the following:*

12                 *“(D) pre-college and undergraduate pre-*  
 13                 *paratory courses in analytical and writing*  
 14                 *skills, study methods, and curriculum selection;”;*

15                 *(C) by redesignating paragraphs (2)*  
 16                 *through (6) as paragraphs (3) through (7), re-*  
 17                 *spectively;*

18                 *(D) by inserting after paragraph (1) the fol-*  
 19                 *lowing:*

20                 *“(2) summer academic programs for secondary*  
 21                 *school students who have expressed interest in a ca-*  
 22                 *reer in the law;”;* and

23                 *(E) in paragraph (7) (as redesignated by*  
 24                 *subparagraph (C)), by inserting “and Associ-*  
 25                 *ates” after “Thurgood Marshall Fellows”;*

1           (5) in subsection (e)(1), by inserting “, including  
2       before and during undergraduate study” before the  
3       semicolon;

4           (6) in subsection (f)—

5               (A) by inserting “national and State bar  
6       associations,” after “agencies and organiza-  
7       tions,”; and

8               (B) by striking “and organizations.” and  
9       inserting “organizations, and associations.”;

10          (7) by striking subsection (g) and inserting the  
11       following:

12       “(g) *FELLOWSHIPS AND STIPENDS.—The Secretary*  
13 *shall annually establish the maximum fellowship to be*  
14 *awarded, and stipend to be paid (including allowances for*  
15 *participant travel and for the travel of the dependents of*  
16 *the participant), to Thurgood Marshall Fellows or Associ-*  
17 *ates for the period of participation in summer institutes,*  
18 *midyear seminars, and bar preparation seminars. A Fellow*  
19 *or Associate may be eligible for such a fellowship or stipend*  
20 *only if the Thurgood Marshall Fellow or Associate main-*  
21 *tains satisfactory academic progress toward the Juris Doc-*  
22 *tor or Bachelor of Laws degree, as determined by the respec-*  
23 *tive institutions (except with respect to a law school grad-*  
24 *uate enrolled in a bar preparation course).”; and*



1           (8) in subsection (h), by striking “\$5,000,000 for  
 2       *fiscal year 1999*” and all that follows through the pe-  
 3       *riod at the end and inserting “such sums as may be*  
 4       *necessary for fiscal year 2008 and for each of the 5*  
 5       *succeeding fiscal years”.*

6 **SEC. 710. FUND FOR THE IMPROVEMENT OF POSTSEC-**  
 7 **ONDARY EDUCATION.**

8       *Section 741 (20 U.S.C. 1138) is amended—*

9           (1) in subsection (a)—

10               (A) by striking paragraph (3) and inserting  
 11       *the following:*

12               “(3) the establishment and continuation of insti-  
 13       *tutions, programs, consortia, collaborations, and other*  
 14       *joint efforts based on the technology of communica-*  
 15       *tions, including those efforts that utilize distance edu-*  
 16       *cation and technological advancements to educate and*  
 17       *train postsecondary students (including health profes-*  
 18       *sionals serving medically underserved populations);”;*

19               (B) in paragraph (7), by striking “and”  
 20       *after the semicolon;*

21               (C) in paragraph (8), by striking the period  
 22       *at the end and inserting a semicolon; and*

23               (D) by adding at the end the following:

24               “(9) the introduction of reforms in remedial edu-  
 25       *cation, including English language instruction, to*

1 *customize remedial courses to student goals and help*  
 2 *students progress rapidly from remedial courses into*  
 3 *core courses and through program completion; and*

4 *“(10) the creation of consortia that join diverse*  
 5 *institutions of higher education to design and offer*  
 6 *curricular and co-curricular interdisciplinary pro-*  
 7 *grams at the undergraduate and graduate levels, sus-*  
 8 *tained for not less than a 5 year period, that—*

9 *“(A) focus on poverty and human capa-*  
 10 *bility; and*

11 *“(B) include—*

12 *“(i) a service-learning component; and*

13 *“(ii) the delivery of educational serv-*  
 14 *ices through informational resource centers,*  
 15 *summer institutes, midyear seminars, and*  
 16 *other educational activities that stress the*  
 17 *effects of poverty and how poverty can be*  
 18 *alleviated through different career paths.”;*  
 19 *and*

20 *(2) by adding at the end the following:*

21 *“(c) PROJECT GRAD.—*

22 *“(1) PURPOSES.—The purposes of this subsection*  
 23 *are—*

24 *“(A) to provide support and assistance to*  
 25 *programs implementing integrated education re-*

1        *form services in order to improve secondary*  
 2        *school graduation, college attendance, and college*  
 3        *completion rates for at-risk students; and*

4                *“(B) to promote the establishment of new*  
 5        *programs to implement such integrated edu-*  
 6        *cation reform services.*

7        *“(2) DEFINITIONS.—In this subsection:*

8                *“(A) AT-RISK.—The term ‘at-risk’ has the*  
 9        *same meaning given such term in section 1432*  
 10        *of the Elementary and Secondary Education Act*  
 11        *of 1965.*

12                *“(B) FEEDER PATTERN.—The term ‘feeder*  
 13        *pattern’ means a secondary school and the ele-*  
 14        *mentary schools and middle schools that channel*  
 15        *students into that secondary school.*

16                *“(3) GRANT AUTHORIZED.—The Secretary is au-*  
 17        *thorized to award a grant to Project GRAD USA (re-*  
 18        *ferred to in this subsection as the ‘grantee’), a non-*  
 19        *profit educational organization that has as its pri-*  
 20        *mary purpose the improvement of secondary school*  
 21        *graduation, college attendance, and college completion*  
 22        *rates for at-risk students, to implement and sustain*  
 23        *the integrated education reform program at existing*  
 24        *Project GRAD sites, and to promote the expansion of*  
 25        *the Project GRAD program to new sites.*

1           “(4) *REQUIREMENTS OF GRANT AGREEMENT.*—

2           *The Secretary shall enter into an agreement with the*  
 3           *grantee that requires that the grantee shall—*

4                   “(A) *enter into subcontracts with nonprofit*  
 5                   *educational organizations that serve a substan-*  
 6                   *tial number or percentage of at-risk students (re-*  
 7                   *ferred to in this subsection as ‘subcontractors’),*  
 8                   *under which the subcontractors agree to imple-*  
 9                   *ment the Project GRAD program and provide*  
 10                   *matching funds for such programs; and*

11                   “(B) *directly carry out—*

12                           “(i) *activities to implement and sus-*  
 13                           *tain the literacy, mathematics, classroom*  
 14                           *management, social service, and college ac-*  
 15                           *cess components of the Project GRAD pro-*  
 16                           *gram;*

17                           “(ii) *activities for the purpose of im-*  
 18                           *plementing new Project GRAD program*  
 19                           *sites;*

20                           “(iii) *activities to support, evaluate,*  
 21                           *and consistently improve the Project GRAD*  
 22                           *program;*

23                           “(iv) *activities for the purpose of pro-*  
 24                           *moting greater public awareness of inte-*  
 25                           *grated education reform services to improve*

1           *secondary school graduation, college attend-*  
 2           *ance, and college completion rates for at-*  
 3           *risk students; and*

4           “(v) *other activities directly related to*  
 5           *improving secondary school graduation, col-*  
 6           *lege attendance, and college completion rates*  
 7           *for at-risk students.*

8           “(5) *GRANTEE CONTRIBUTION AND MATCHING*  
 9           *REQUIREMENT.—*

10           “(A) *IN GENERAL.—The grantee shall pro-*  
 11           *vide funds to each subcontractor based on the*  
 12           *number of students served by the subcontractor*  
 13           *in the Project GRAD program, adjusted to take*  
 14           *into consideration—*

15           “(i) *the resources available in the area*  
 16           *where the subcontractor will implement the*  
 17           *Project GRAD program; and*

18           “(ii) *the need for the Project GRAD*  
 19           *program in such area to improve student*  
 20           *outcomes, including reading and mathe-*  
 21           *matics achievement and, where applicable,*  
 22           *secondary school graduation, college attend-*  
 23           *ance, and college completion rates.*

24           “(B) *MATCHING REQUIREMENT.—Each sub-*  
 25           *contractor shall provide funds for the Project*

1           *GRAD* program in an amount that is equal to  
 2           or greater than the amount received by the sub-  
 3           contractor from the grantee. Such matching  
 4           funds may be provided in cash or in-kind, fairly  
 5           evaluated.

6           “(6) *EVALUATION.*—The Secretary shall select an  
 7           independent entity to evaluate, every 3 years, the per-  
 8           formance of students who participate in a Project  
 9           *GRAD* program under this subsection.

10          “(d) *CENTER FOR BEST PRACTICES TO SUPPORT SIN-*  
 11 *GLE PARENT STUDENTS.*—

12           “(1) *PROGRAM AUTHORIZED.*—The Secretary is  
 13           authorized to award 1 grant or contract to an institu-  
 14           tion of higher education to enable such institution to  
 15           establish and maintain a center to study and develop  
 16           best practices for institutions of higher education to  
 17           support single parents who are also students attend-  
 18           ing such institutions.

19           “(2) *INSTITUTION REQUIREMENTS.*—The Sec-  
 20           retary shall award the grant or contract under this  
 21           subsection to a 4-year institution of higher education  
 22           that has demonstrated expertise in the development of  
 23           programs to assist single parents who are students at  
 24           institutions of higher education, as shown by the in-  
 25           stitution’s development of a variety of targeted serv-

ices to such students, including on-campus housing, child care, counseling, advising, internship opportunities, financial aid, and financial aid counseling and assistance.

“(3) *CENTER ACTIVITIES.*—*The center funded under this section shall—*

“(A) *assist institutions implementing innovative programs that support single parents pursuing higher education;*

“(B) *study and develop an evaluation protocol for such programs that includes quantitative and qualitative methodologies;*

“(C) *provide appropriate technical assistance regarding the replication, evaluation, and continuous improvement of such programs; and*

“(D) *develop and disseminate best practices for such programs.*

“(e) *UNDERSTANDING THE FEDERAL REGULATORY IMPACT ON HIGHER EDUCATION.*—

“(1) *PURPOSE.*—*The purpose of this subsection is to help institutions of higher education understand the regulatory impact of the Federal Government on such institutions, in order to raise awareness of institutional legal obligations and provide information to*

1     *improve compliance with, and to reduce the duplica-*  
 2     *tion and inefficiency of, Federal regulations.*

3             “(2) *PROGRAM AUTHORIZED.*—*The Secretary is*  
 4     *authorized to award 1 grant or contract to an institu-*  
 5     *tion of higher education to enable the institution to*  
 6     *carry out the activities described in the agreement*  
 7     *under paragraph (4).*

8             “(3) *INSTITUTION REQUIREMENTS.*—*The Sec-*  
 9     *retary shall award the grant or contract under this*  
 10    *subsection to an institution of higher education that*  
 11    *has demonstrated expertise in—*

12               “(A) *reviewing Federal higher education*  
 13     *regulations;*

14               “(B) *maintaining a clearinghouse of com-*  
 15     *pliance training materials; and*

16               “(C) *explaining the impact of such regula-*  
 17     *tions to institutions of higher education through*  
 18     *a comprehensive and freely accessible website.*

19             “(4) *REQUIREMENTS OF AGREEMENT.*—*As a*  
 20     *condition of receiving a grant or contract under this*  
 21     *subsection, the institution of higher education shall*  
 22     *enter into an agreement with the Secretary that shall*  
 23     *require the institution to—*



1           “(A) monitor Federal regulations, including  
2           notices of proposed rulemaking, for their impact  
3           or potential impact on higher education;

4           “(B) provide a succinct description of each  
5           regulation or proposed regulation that is relevant  
6           to higher education; and

7           “(C) maintain a website providing infor-  
8           mation on Federal regulations that is easy to  
9           use, searchable, and updated regularly.

10          “(f) *SCHOLARSHIP PROGRAM FOR FAMILY MEMBERS*  
11 *OF VETERANS OR MEMBERS OF THE MILITARY.*—

12           “(1) *AUTHORIZATION.*—*The Secretary shall con-*  
13 *tract with a nonprofit organization with dem-*  
14 *onstrated experience in carrying out the activities de-*  
15 *scribed in this subsection to carry out a program to*  
16 *provide postsecondary education scholarships for eli-*  
17 *gible students.*

18           “(2) *ELIGIBLE STUDENTS.*—*In this subsection,*  
19 *the term ‘eligible student’ means an individual who*  
20 *is—*

21           “(A)(i) *a dependent student who is a child*  
22 *of—*

23           “(I) *an individual who is—*

24           “(aa) *serving on active duty dur-*  
25 *ing a war or other military operation*

1                    *or national emergency (as defined in*  
2                    *section 481); or*

3                    “(bb) performing qualifying Na-  
4                    tional Guard duty during a war or  
5                    other military operation or national  
6                    emergency (as defined in section 481);  
7                    or

8                    “(II) a veteran who died while serving  
9                    or performing, as described in subclause (I),  
10                  since September 11, 2001, or has been dis-  
11                  abled while serving or performing, as de-  
12                  scribed in subclause (I), as a result of such  
13                  event; or

14                  “(ii) an independent student who is a  
15                  spouse of—

16                  “(I) an individual who is—

17                    “(aa) serving on active duty dur-  
18                    ing a war or other military operation  
19                    or national emergency (as defined in  
20                    section 481); or

21                    “(bb) performing qualifying Na-  
22                    tional Guard duty during a war or  
23                    other military operation or national  
24                    emergency (as defined in section 481);  
25                    or

1                   “(II) a veteran who died while serving  
 2                   or performing, as described in subclause (I),  
 3                   since September 11, 2001, or has been dis-  
 4                   abled while serving or performing, as de-  
 5                   scribed in subclause (I), as a result of such  
 6                   event; and

7                   “(B) enrolled as a full-time or part-time  
 8                   student at an institution of higher education (as  
 9                   defined in section 102).

10                  “(3) AWARDING OF SCHOLARSHIPS.—Scholar-  
 11                  ships awarded under this subsection shall be awarded  
 12                  based on need with priority given to eligible students  
 13                  who are eligible to receive Federal Pell Grants under  
 14                  subpart 1 of part A of title IV.

15                  “(4) MAXIMUM SCHOLARSHIP AMOUNT.—The  
 16                  maximum scholarship amount awarded to an eligible  
 17                  student under this subsection for an academic year  
 18                  shall be the lesser of—

19                         “(A) the difference between the eligible stu-  
 20                         dent’s cost of attendance (as defined in section  
 21                         472) and any non-loan based aid such student  
 22                         receives; or

23                         “(B) \$5,000.

24                  “(5) AMOUNTS FOR SCHOLARSHIPS.—100 per-  
 25                  cent of amounts appropriated to carry out this sub-

1        *section shall be used for scholarships awarded under*  
 2        *this subsection.”.*

3    **SEC. 711. SPECIAL PROJECTS.**

4        *Section 744(c) (20 U.S.C. 1138c) is amended to read*  
 5        *as follows:*

6        *“(c) AREAS OF NATIONAL NEED.—Areas of national*  
 7        *need shall include, at a minimum, the following:*

8                *“(1) Institutional restructuring to improve*  
 9        *learning and promote productivity, efficiency, quality*  
 10        *improvement, and cost and price control.*

11                *“(2) Improvements in academic instruction and*  
 12        *student learning, including efforts designed to assess*  
 13        *the learning gains made by postsecondary students.*

14                *“(3) Articulation between 2- and 4-year institu-*  
 15        *tions of higher education, including developing inno-*  
 16        *vative methods for ensuring the successful transfer of*  
 17        *students from 2- to 4-year institutions of higher edu-*  
 18        *cation.*

19                *“(4) Development, evaluation and dissemination*  
 20        *of model programs, including model core curricula*  
 21        *that—*

22                        *“(A) provide students with a broad and in-*  
 23        *tegrated knowledge base;*

24                        *“(B) include, at a minimum, broad survey*  
 25        *courses in English literature, American and*

1           *world history, American political institutions,*  
 2           *economics, philosophy, college-level mathematics,*  
 3           *and the natural sciences; and*

4           “(C) *include sufficient study of a foreign*  
 5           *language to lead to reading and writing com-*  
 6           *petency in the foreign language.*

7           “(5) *International cooperation and student ex-*  
 8           *changes among postsecondary educational institu-*  
 9           *tions.”.*

10 **SEC. 712. AUTHORIZATION OF APPROPRIATIONS FOR THE**  
 11                               **FUND FOR THE IMPROVEMENT OF POSTSEC-**  
 12                               **ONDARY EDUCATION.**

13           *Section 745 (20 U.S.C. 1138d) is amended by striking*  
 14           *“\$30,000,000 for fiscal year 1999” and all that follows*  
 15           *through the period and inserting “such sums as may be nec-*  
 16           *essary for fiscal year 2008 and each of the 5 succeeding*  
 17           *fiscal years.”.*

18 **SEC. 713. REPEAL OF THE URBAN COMMUNITY SERVICE**  
 19                               **PROGRAM.**

20           *Part C of title VII (20 U.S.C. 1139 et seq.) is repealed.*

21 **SEC. 714. GRANTS FOR STUDENTS WITH DISABILITIES.**

22           (a) *GRANTS AUTHORIZED FOR DEMONSTRATION*  
 23           *PROJECTS TO ENSURE STUDENTS WITH DISABILITIES RE-*  
 24           *CEIVE A QUALITY HIGHER EDUCATION.—Section 762 (20*  
 25           *U.S.C. 1140a) is amended—*

1           (1) *in subsection (b)—*

2               (A) *in paragraph (2)—*

3                   (i) *in subparagraph (A), by striking*  
 4                   *“to teach students with disabilities” and in-*  
 5                   *serting “to teach and meet the academic*  
 6                   *and programmatic needs of students with*  
 7                   *disabilities in order to improve retention*  
 8                   *and completion of postsecondary edu-*  
 9                   *cation”;*

10                  (ii) *by redesignating subparagraphs*  
 11                  *(B) and (C) as subparagraphs (C) and (F),*  
 12                  *respectively;*

13                  (iii) *by inserting after subparagraph*  
 14                  *(A) the following:*

15                   “(B) *EFFECTIVE TRANSITION PRACTICES.—*  
 16                   *The development of innovative and effective*  
 17                   *teaching methods and strategies to ensure the*  
 18                   *successful transition of students with disabilities*  
 19                   *from secondary school to postsecondary edu-*  
 20                   *cation.”;*

21                   (iv) *in subparagraph (C), as redesign-*  
 22                   *ated by clause (ii), by striking the period*  
 23                   *at the end and inserting “, including data*  
 24                   *on the postsecondary education of and im-*  
 25                   *act on subsequent employment of students*

1           *with disabilities. Such research, informa-*  
 2           *tion, and data shall be made publicly avail-*  
 3           *able and accessible.”;*

4           *(v) by inserting after subparagraph*  
 5           *(C), as redesignated by clause (ii), the fol-*  
 6           *lowing:*

7           “(D) *DISTANCE LEARNING.—The develop-*  
 8           *ment of innovative and effective teaching meth-*  
 9           *ods and strategies to provide faculty and admin-*  
 10           *istrators with the ability to provide accessible*  
 11           *distance education programs or classes that*  
 12           *would enhance access of students with disabilities*  
 13           *to higher education, including the use of acces-*  
 14           *sible curriculum and electronic communication*  
 15           *for instruction and advisement.*

16           “(E) *DISABILITY CAREER PATHWAYS.—*

17           “(i) *IN GENERAL.—Training and pro-*  
 18           *viding support to secondary and postsec-*  
 19           *ondary staff with respect to disability-re-*  
 20           *lated fields to—*

21           “(I) *encourage interest and par-*  
 22           *ticipation in such fields, among stu-*  
 23           *dents with disabilities and other stu-*  
 24           *dents;*

1                   “(II) enhance awareness and un-  
2                   derstanding of such fields among such  
3                   students;

4                   “(III) provide educational oppor-  
5                   tunities in such fields among such stu-  
6                   dents;

7                   “(IV) teach practical skills related  
8                   to such fields among such students; and

9                   “(V) offer work-based opportuni-  
10                  ties in such fields among such students.

11                  “(ii) DEVELOPMENT.—The training  
12                  and support described in clause (i) may in-  
13                  clude developing means to offer students  
14                  credit-bearing, college-level coursework, and  
15                  career and educational counseling.”; and

16                  (vi) by adding at the end the following:

17                  “(G) ACCESSIBILITY OF EDUCATION.—Mak-  
18                  ing postsecondary education more accessible to  
19                  students with disabilities through curriculum de-  
20                  velopment.”; and

21                  (B) in paragraph (3), by striking “subpara-  
22                  graphs (A) through (C)” and inserting “subpara-  
23                  graphs (A) through (G)”;

24                  (2) by adding at the end the following:



1       “(d) *REPORT*.—Not later than 3 years after the date  
 2   of enactment of the Higher Education Amendments of 2007,  
 3   the Secretary shall prepare and disseminate a report re-  
 4   viewing the activities of the demonstration projects author-  
 5   ized under this subpart and providing guidance and rec-  
 6   ommendations on how successful projects can be rep-  
 7   licated.”.

8       (b) *TRANSITION PROGRAMS FOR STUDENTS WITH IN-*  
 9   *TELLECTUAL DISABILITIES INTO HIGHER EDUCATION; CO-*  
 10   *ORDINATING CENTER*.—Part D of title VII (20 U.S.C. 1140  
 11   *et seq.*) is further amended—

12           (1) in the part heading, by striking “**DEM-**  
 13       **ONSTRATION**”;

14           (2) by inserting after the part heading the fol-  
 15       lowing:

16           “**Subpart 1—Quality Higher Education**”;

17       and

18           (3) by adding at the end the following:

19       “**Subpart 2—Transition Programs for Students With**  
 20       **Intellectual Disabilities Into Higher Education;**  
 21       **Coordinating Center**

22       “**SEC. 771. PURPOSE.**

23       “*It is the purpose of this subpart to support model*  
 24       *demonstration programs that promote the successful transi-*

1 *tion of students with intellectual disabilities into higher*  
 2 *education.*

3 **“SEC. 772. DEFINITIONS.**

4 *“In this subpart:*

5 *“(1) COMPREHENSIVE TRANSITION AND POST-*  
 6 *SECONDARY PROGRAM FOR STUDENTS WITH INTEL-*  
 7 *LECTUAL DISABILITIES.—The term ‘comprehensive*  
 8 *transition and postsecondary program for students*  
 9 *with intellectual disabilities’ means a degree, certifi-*  
 10 *cate, or nondegree program offered by an institution*  
 11 *of higher education that—*

12 *“(A) is designed for students with intellec-*  
 13 *tual disabilities who seek to continue academic,*  
 14 *vocational, or independent living instruction at*  
 15 *the institution in order to prepare for gainful*  
 16 *employment;*

17 *“(B) includes an advising and curriculum*  
 18 *structure; and*

19 *“(C) requires the enrollment of the student*  
 20 *(through enrollment in credit-bearing courses,*  
 21 *auditing or participating in courses, partici-*  
 22 *pating in internships, or enrollment in non-*  
 23 *credit, nondegree courses) in the equivalent of*  
 24 *not less than a half-time course of study, as de-*  
 25 *termined by the institution.*

1           “(2) *STUDENT WITH AN INTELLECTUAL DIS-*  
 2           *ABILITY.*—*The term ‘student with an intellectual dis-*  
 3           *ability’ means a student whose mental retardation or*  
 4           *other significant cognitive impairment substantially*  
 5           *impacts the student’s intellectual and cognitive func-*  
 6           *tioning.*

7   **“SEC. 773. MODEL COMPREHENSIVE TRANSITION AND**  
 8                           **POSTSECONDARY PROGRAMS FOR STUDENTS**  
 9                           **WITH INTELLECTUAL DISABILITIES.**

10          “(a) *GRANTS AUTHORIZED.*—

11               “(1) *IN GENERAL.*—*The Secretary shall annually*  
 12               *award grants, on a competitive basis, to institutions*  
 13               *of higher education (or consortia of institutions of*  
 14               *higher education), to create or expand high-quality,*  
 15               *inclusive model comprehensive transition and postsec-*  
 16               *ondary programs for students with intellectual dis-*  
 17               *abilities.*

18               “(2) *NUMBER AND DURATION OF GRANTS.*—*The*  
 19               *Secretary shall award not less than 10 grants per*  
 20               *year under this section, and each grant awarded*  
 21               *under this subsection shall be for a period of 5 years.*

22               “(b) *APPLICATION.*—*An institution of higher edu-*  
 23               *cation (or a consortium) desiring a grant under this section*  
 24               *shall submit an application to the Secretary at such time,*

1 *in such manner, and containing such information as the*  
 2 *Secretary may require.*

3       “(c) *PREFERENCE.—In awarding grants under this*  
 4 *section, the Secretary shall give preference to institutions*  
 5 *of higher education (or consortia) that—*

6               “(1) *will carry out a model program under the*  
 7 *grant in a State that does not already have a com-*  
 8 *prehensive transition and postsecondary program for*  
 9 *students with intellectual disabilities; or*

10              “(2) *in the application submitted under sub-*  
 11 *section (b), agree to incorporate 1 or more the fol-*  
 12 *lowing elements into the model programs carried out*  
 13 *under the grant:*

14                   “(A) *The formation of a partnership with*  
 15 *any relevant agency serving students with intel-*  
 16 *lectual disabilities, such as a vocational rehabili-*  
 17 *tation agency.*

18                   “(B) *In the case of an institution of higher*  
 19 *education that provides institutionally-owned or*  
 20 *operated housing for students attending the insti-*  
 21 *tution, the integration of students with intellec-*  
 22 *tual disabilities into such housing.*

23                   “(C) *The involvement of students attending*  
 24 *the institution of higher education who are*  
 25 *studying special education, general education,*

1           *vocational rehabilitation, assistive technology, or*  
2           *related fields in the model program carried out*  
3           *under the grant.*

4           “(d) *USE OF FUNDS.*—*An institution of higher edu-*  
5           *cation (or consortium) receiving a grant under this section*  
6           *shall use the grant funds to establish a model comprehensive*  
7           *transition and postsecondary program for students with in-*  
8           *tellectual disabilities that—*

9                 “(1) *serves students with intellectual disabilities,*  
10            *including students with intellectual disabilities who*  
11            *are no longer eligible for special education and re-*  
12            *lated services under the Individuals with Disabilities*  
13            *Education Act;*

14                 “(2) *provides individual supports and services*  
15            *for the academic and social inclusion of students with*  
16            *intellectual disabilities in academic courses, extra-*  
17            *curricular activities, and other aspects of the institu-*  
18            *tion of higher education’s regular postsecondary pro-*  
19            *gram;*

20                 “(3) *with respect to the students with intellectual*  
21            *disabilities participating in the model program, pro-*  
22            *vides a focus on—*

23                         “(A) *academic enrichment;*

24                         “(B) *socialization;*

1                   “(C) *independent living, including self-ad-*  
 2                   *vocacy skills; and*

3                   “(D) *integrated work experiences and career*  
 4                   *skills that lead to gainful employment;*

5                   “(4) *integrates person-centered planning in the*  
 6                   *development of the course of study for each student*  
 7                   *with an intellectual disability participating in the*  
 8                   *model program;*

9                   “(5) *participates with the coordinating center es-*  
 10                  *tablished under section 774 in the evaluation of the*  
 11                  *model program;*

12                  “(6) *partners with 1 or more local educational*  
 13                  *agencies to support students with intellectual disabil-*  
 14                  *ities participating in the model program who are still*  
 15                  *eligible for special education and related services*  
 16                  *under such Act, including regarding the utilization of*  
 17                  *funds available under part B of the Individuals with*  
 18                  *Disabilities Education Act for such students;*

19                  “(7) *plans for the sustainability of the model*  
 20                  *program after the end of the grant period; and*

21                  “(8) *creates and offers a meaningful credential*  
 22                  *for students with intellectual disabilities upon the*  
 23                  *completion of the model program.*

24                  “(e) *MATCHING REQUIREMENT.—An institution of*  
 25                  *higher education that receives a grant under this section*

1 *shall provide toward the cost of the model comprehensive*  
 2 *transition and postsecondary program for students with in-*  
 3 *tellectual disabilities carried out under the grant, matching*  
 4 *funds, which may be provided in cash or in-kind, in an*  
 5 *amount not less than 25 percent of the amount of such grant*  
 6 *funds.*

7       “(f) *REPORT.—Not later than 3 years after the date*  
 8 *of enactment of the Higher Education Amendments of 2007,*  
 9 *the Secretary shall prepare and disseminate a report re-*  
 10 *viewing the activities of the model comprehensive transition*  
 11 *and postsecondary programs for students with intellectual*  
 12 *disabilities authorized under this subpart and providing*  
 13 *guidance and recommendations on how successful programs*  
 14 *can be replicated.*

15       “(g) *AUTHORIZATION OF APPROPRIATIONS.—There*  
 16 *are authorized to be appropriated to carry out this section*  
 17 *such sums as may be necessary.*

18       **“SEC. 774. COORDINATING CENTER FOR TECHNICAL AS-**  
 19                               **SISTANCE, EVALUATION, AND DEVELOPMENT**  
 20                               **OF ACCREDITATION STANDARDS.**

21       “(a) *IN GENERAL.—*

22               “(1) *AWARD.—The Secretary shall, on a com-*  
 23 *petitive basis, enter into a cooperative agreement with*  
 24 *an eligible entity, for the purpose of establishing a co-*  
 25 *ordinating center for technical assistance, evaluation,*

1       *and development of accreditation standards for insti-*  
 2       *tutions of higher education that offer inclusive model*  
 3       *comprehensive transition and postsecondary programs*  
 4       *for students with intellectual disabilities.*

5               “(2) *DURATION.*—*The cooperative agreement*  
 6       *under this section shall be for a period of 5 years.*

7               “(b) *REQUIREMENTS OF COOPERATIVE AGREE-*  
 8       *MENT.*—*The eligible entity entering into a cooperative*  
 9       *agreement under this section shall establish and maintain*  
 10       *a center that shall—*

11               “(1) *serve as the technical assistance entity for*  
 12       *all model comprehensive transition and postsecondary*  
 13       *programs for students with intellectual disabilities as-*  
 14       *sisted under section 773;*

15               “(2) *provide technical assistance regarding the*  
 16       *development, evaluation, and continuous improve-*  
 17       *ment of such programs;*

18               “(3) *develop an evaluation protocol for such pro-*  
 19       *grams that includes qualitative and quantitative*  
 20       *methodology measuring student outcomes and pro-*  
 21       *gram strengths in the areas of academic enrichment,*  
 22       *socialization, independent living, and competitive or*  
 23       *supported employment;*

24               “(4) *assist recipients of grants under section 773*  
 25       *in efforts to award a meaningful credential to stu-*



1        *dents with intellectual disabilities upon the comple-*  
 2        *tion of such programs, which credential takes into*  
 3        *consideration unique State factors;*

4            *“(5) develop model criteria, standards, and pro-*  
 5        *cedures to be used in accrediting such programs*  
 6        *that—*

7            *“(A) include, in the development of the*  
 8        *model criteria, standards, and procedures for*  
 9        *such programs, the participation of—*

10            *“(i) an expert in higher education;*

11            *“(ii) an expert in special education;*

12            *“(iii) a disability organization that*  
 13        *represents students with intellectual disabil-*  
 14        *ities; and*

15            *“(iv) a State, regional, or national ac-*  
 16        *crediting agency or association recognized*  
 17        *by the Secretary under subpart 2 of part H*  
 18        *of title IV; and*

19            *“(B) define the necessary components of*  
 20        *such programs, such as—*

21            *“(i) academic, vocational, social, and*  
 22        *independent living skills;*

23            *“(ii) evaluation of student progress;*

24            *“(iii) program administration and*  
 25        *evaluation;*

1                   “(iv) *student eligibility; and*

2                   “(v) *issues regarding the equivalency of*  
 3                   *a student’s participation in such programs*  
 4                   *to semester, trimester, quarter, credit, or*  
 5                   *clock hours at an institution of higher edu-*  
 6                   *cation, as the case may be;*

7                   “(6) *analyze possible funding streams for such*  
 8                   *programs and provide recommendations regarding the*  
 9                   *funding streams;*

10                  “(7) *develop model memoranda of agreement be-*  
 11                  *tween institutions of higher education and agencies*  
 12                  *providing funding for such programs;*

13                  “(8) *develop mechanisms for regular communica-*  
 14                  *tion between the recipients of grants under section*  
 15                  *773 regarding such programs; and*

16                  “(9) *host a meeting of all recipients of grants*  
 17                  *under section 773 not less often than once a year.*

18                  “(c) *DEFINITION OF ELIGIBLE ENTITY.—In this sec-*  
 19                  *tion, the term ‘eligible entity’ means an entity, or a part-*  
 20                  *nership of entities, that has demonstrated expertise in the*  
 21                  *fields of higher education, students with intellectual disabil-*  
 22                  *ities, the development of comprehensive transition and post-*  
 23                  *secondary programs for students with intellectual disabil-*  
 24                  *ities, and evaluation.*

1       “(d) *AUTHORIZATION OF APPROPRIATIONS.*—*There*  
 2 *are authorized to be appropriated to carry out this section*  
 3 *such sums as may be necessary.*”.

4       (c) *CONFORMING AMENDMENTS.*—*Part D of title VII*  
 5 *(20 U.S.C. 1140 et seq.) is further amended—*

6           (1) *in section 761, by striking “part” and insert-*  
 7 *ing “subpart”;*

8           (2) *in section 762 (as amended by subsection*  
 9 *(a)), by striking “part” each place the term appears*  
 10 *and inserting “subpart”;*

11          (3) *in section 763, by striking “part” both places*  
 12 *the term appears and inserting “subpart”;*

13          (4) *in section 764, by striking “part” and insert-*  
 14 *ing “subpart”; and*

15          (5) *in section 765, by striking “part” and insert-*  
 16 *ing “subpart”.*

17 **SEC. 715. APPLICATIONS FOR DEMONSTRATION PROJECTS**

18 **TO ENSURE STUDENTS WITH DISABILITIES**

19 **RECEIVE A QUALITY HIGHER EDUCATION.**

20       Section 763 (as amended in section 714(c)(3)) (20  
 21 U.S.C. 1140b) is further amended—

22           (1) *by striking paragraph (1) and inserting the*  
 23 *following:*

24           “(1) *a description of how such institution plans*  
 25 *to address the activities allowed under this subpart;*”;

1           (2) in paragraph (2), by striking “and” after the  
2       semicolon;

3           (3) in paragraph (3), by striking the period at  
4       the end and inserting “; and”; and

5           (4) by adding at the end the following:

6           “(4) a description of the extent to which the in-  
7       stitution will work to replicate the research based and  
8       best practices of institutions of higher education with  
9       demonstrated success in serving students with disabili-  
10      ties.”.

11 **SEC. 716. AUTHORIZATION OF APPROPRIATIONS FOR DEM-**  
12 **ONSTRATION PROJECTS TO ENSURE STU-**  
13 **DENTS WITH DISABILITIES RECEIVE A QUAL-**  
14 **ITY HIGHER EDUCATION.**

15       Section 765 (20 U.S.C. 1140d) is amended by striking  
16   “\$10,000,000 for fiscal year 1999” and all that follows  
17   through the period and inserting “such sums as may be nec-  
18   essary for fiscal year 2008 and each of the 5 succeeding  
19   fiscal years.”.

20 **SEC. 717. RESEARCH GRANTS.**

21       Title VII (20 U.S.C. 1133 et seq.) is further amended  
22   by adding at the end the following:

**“PART E—RESEARCH GRANTS**

**“SEC. 781. RESEARCH GRANTS.**

“(a) *GRANTS AUTHORIZED.*—*The Secretary is authorized to award grants, on a competitive basis, to eligible entities to enable the eligible entities to develop or improve valid and reliable measures of student achievement for use by institutions of higher education to measure and evaluate learning in higher education.*

“(b) *DEFINITIONS.*—*In this section:*

“(1) *ELIGIBLE ENTITY.*—*The term ‘eligible entity’ means—*

“(A) *an institution of higher education;*

“(B) *a State agency responsible for higher education;*

“(C) *a recognized higher education accrediting agency or an organization of higher education accreditors;*

“(D) *an eligible applicant described in section 174(c) of the Education Sciences Reform Act of 2002; and*

“(E) *a consortium of any combination of entities described in subparagraphs (A) through (D).*

“(c) *APPLICATION.*—

“(1) *IN GENERAL.*—*Each eligible entity that desires a grant under this part shall submit an applica-*

tion to the Secretary at such time, in such manner,  
and accompanied by such information as the Secretary may require.

“(2) CONTENTS.—Each application submitted under subsection (a) shall include a description of how the eligible entity—

“(A) will work with relevant experts, including psychometricians, research experts, institutions, associations, and other qualified individuals as determined appropriate by the eligible entity;

“(B) will reach a broad and diverse range of audiences;

“(C) has participated in work in improving postsecondary education;

“(D) has participated in work in developing or improving assessments to measure student achievement;

“(E) includes faculty, to the extent practicable, in the development of any assessments or measures of student achievement; and

“(F) will focus on program specific measures of student achievement generally applicable to an entire—

“(i) institution of higher education; or

1                   “(ii) *State system of higher education.*

2           “(d) *AWARD BASIS.—In awarding grants under this*  
3 *section, the Secretary shall take into consideration—*

4                   “(1) *the quality of an application for a grant*  
5 *under this section;*

6                   “(2) *the distribution of the grants to different—*

7                           “(A) *geographic regions;*

8                           “(B) *types of institutions of higher edu-*  
9 *cation; and*

10                   “(C) *higher education accreditors.*

11           “(e) *USE OF FUNDS.—Each eligible entity receiving*  
12 *a grant under this section may use the grant funds—*

13                   “(1) *to enable the eligible entity to improve the*  
14 *quality, validity, and reliability of existing assess-*  
15 *ments used by institutions of higher education;*

16                   “(2) *to develop measures of student achievement*  
17 *using multiple measures of student achievement from*  
18 *multiple sources;*

19                   “(3) *to measure improvement in student achieve-*  
20 *ment over time;*

21                   “(4) *to evaluate student achievement;*

22                   “(5) *to develop models of effective practices; and*

23                   “(6) *for a pilot or demonstration project of meas-*  
24 *ures of student achievement.*

1       “(f) *MATCHING REQUIREMENT.*—An eligible entity de-  
 2       scribed in subparagraph (A), (B), or (C) of subsection (b)(1)  
 3       that receives a grant under this section shall provide for  
 4       each fiscal year, from non-Federal sources, an amount  
 5       (which may be provided in cash or in kind), to carry out  
 6       the activities supported by the grant, equal to 50 percent  
 7       of the amount received for the fiscal year under the grant.

8       “(g) *SUPPLEMENT, NOT SUPPLANT.*—Grant funds  
 9       provided under this section shall be used to supplement, not  
 10      supplant, other Federal or State funds.

11      “(h) *REPORT.*—

12           “(1) *REPORT.*—The Secretary shall provide an  
 13      annual report to Congress on the implementation of  
 14      the grant program assisted under this section.

15           “(2) *CONTENT.*—The report shall include—

16                   “(A) information regarding the development  
 17                   or improvement of scientifically valid and reli-  
 18                   able measures of student achievement;

19                   “(B) a description of the assessments or  
 20                   other measures developed by eligible entities;

21                   “(C) the results of any pilot or demonstra-  
 22                   tion projects assisted under this section; and

23                   “(D) such other information as the Sec-  
 24                   retary may require.”.



1       ***TITLE VIII—MISCELLANEOUS***

2       ***SEC. 801. MISCELLANEOUS.***

3           *The Act (20 U.S.C. 1001 et seq.) is amended by adding*  
 4       *at the end the following:*

5       ***“TITLE VIII—MISCELLANEOUS***

6           ***“PART A—MATHEMATICS AND SCIENCE***

7                   ***SCHOLARS PROGRAM***

8       ***“SEC. 811. MATHEMATICS AND SCIENCE SCHOLARS PRO-***  
 9                   ***GRAM.***

10           ***“(a) PROGRAM AUTHORIZED.—****The Secretary is au-*  
 11       *thorized to award grants to States, on a competitive basis,*  
 12       *to enable the States to award eligible students, who complete*  
 13       *a rigorous secondary school curriculum in mathematics and*  
 14       *science, scholarships for undergraduate study.*

15           ***“(b) ELIGIBLE STUDENTS.—****A student is eligible for*  
 16       *a scholarship under this section if the student is a full-time*  
 17       *undergraduate student in the student’s first and second year*  
 18       *of study who has completed a rigorous secondary school cur-*  
 19       *riculum in mathematics and science.*

20           ***“(c) RIGOROUS CURRICULUM.—****Each participating*  
 21       *State shall determine the requirements for a rigorous sec-*  
 22       *ondary school curriculum in mathematics and science de-*  
 23       *scribed in subsection (b).*

24           ***“(d) PRIORITY FOR SCHOLARSHIPS.—****The Governor of*  
 25       *a State may set a priority for awarding scholarships under*

1 *this section for particular eligible students, such as students*  
 2 *attending schools in high-need areas, students who are from*  
 3 *groups underrepresented in the fields of mathematics,*  
 4 *science, and engineering, students served by local edu-*  
 5 *cational agencies that do not meet or exceed State standards*  
 6 *in mathematics and science, or students with regional or*  
 7 *geographic needs as determined appropriate by the Gov-*  
 8 *ernor.*

9       “(e) *AMOUNT AND DURATION OF SCHOLARSHIP.—The*  
 10 *Secretary shall award a grant under this section—*

11               “(1) *in an amount that does not exceed \$1,000;*  
 12       *and*

13               “(2) *for not more than 2 years of undergraduate*  
 14       *study.*

15       “(f) *MATCHING REQUIREMENT.—In order to receive a*  
 16 *grant under this section, a State shall provide matching*  
 17 *funds for the scholarships awarded under this section in an*  
 18 *amount equal to 50 percent of the Federal funds received.*

19       “(g) *AUTHORIZATION.—There are authorized to be ap-*  
 20 *propriated to carry out this section such sums as may be*  
 21 *necessary for fiscal year 2008 and each of the 5 succeeding*  
 22 *fiscal years.*

1           **“PART B—POSTSECONDARY EDUCATION**

2                           **ASSESSMENT**

3   **“SEC. 816. POSTSECONDARY EDUCATION ASSESSMENT.**

4           “(a) *CONTRACT FOR ASSESSMENT.*—*The Secretary*  
5 *shall enter into a contract, with an independent, bipartisan*  
6 *organization with specific expertise in public administra-*  
7 *tion and financial management, to carry out an inde-*  
8 *pendent assessment of the cost factors associated with the*  
9 *cost of tuition at institutions of higher education.*

10          “(b) *TIMEFRAME.*—*The Secretary shall enter into the*  
11 *contract described in subsection (a) not later than 90 days*  
12 *after the date of enactment of the Higher Education Amend-*  
13 *ments of 2007.*

14          “(c) *MATTERS ASSESSED.*—*The assessment described*  
15 *in subsection (a) shall—*

16               “(1) *examine the key elements driving the cost*  
17 *factors associated with the cost of tuition at institu-*  
18 *tions of higher education during the 2001–2002 aca-*  
19 *demie year and succeeding academic years;*

20               “(2) *identify and evaluate measures being used*  
21 *to control postsecondary education costs;*

22               “(3) *identify and evaluate effective measures that*  
23 *may be utilized to control postsecondary education*  
24 *costs in the future; and*

1           “(4) identify systemic approaches to monitor fu-  
 2           ture postsecondary education cost trends and postsec-  
 3           ondary education cost control mechanisms.

4   **“PART C—JOB SKILL TRAINING IN HIGH-GROWTH**  
 5           **OCCUPATIONS OR INDUSTRIES**

6   **“SEC. 821. JOB SKILL TRAINING IN HIGH-GROWTH OCCUPA-**  
 7           **TIONS OR INDUSTRIES.**

8           “(a) *GRANTS AUTHORIZED.*—The Secretary is author-  
 9           ized to award grants, on a competitive basis, to eligible  
 10          partnerships to enable the eligible partnerships to provide  
 11          relevant job skill training in high-growth industries or oc-  
 12          cupations.

13          “(b) *DEFINITIONS.*—In this section:

14               “(1) *ELIGIBLE PARTNERSHIP.*—The term ‘*eligi-*  
 15          *ble partnership*’ means a partnership—

16                       “(A) between an institution of higher edu-  
 17                       cation and a local board (as such term is defined  
 18                       in section 101 of the Workforce Investment Act  
 19                       of 1998); or

20                       “(B) if an institution of higher education is  
 21                       located within a State that does not operate local  
 22                       boards, between the institution of higher edu-  
 23                       cation and a State board (as such term is de-  
 24                       fined in section 101 of the Workforce Investment  
 25                       Act of 1998).

1           “(2) *NONTRADITIONAL STUDENT.*—*The term*  
2           *‘nontraditional student’ means a student who—*

3                     *“(A) is independent, as defined in section*  
4                     *480(d);*

5                     *“(B) attends an institution of higher edu-*  
6                     *cation—*

7                             *“(i) on less than a full-time basis;*

8                             *“(ii) via evening, weekend, modular, or*  
9                             *compressed courses; or*

10                            *“(iii) via distance education methods;*

11                            *or*

12                            *“(C) has delayed enrollment at an institu-*  
13                            *tion of higher education.*

14           “(3) *INSTITUTION OF HIGHER EDUCATION.*—*The*  
15           *term ‘institution of higher education’ means an insti-*  
16           *tution of higher education, as defined in section*  
17           *101(b), that offers a 1- or 2-year program of study*  
18           *leading to a degree or certificate.*

19           “(c) *APPLICATION.*—

20                     “(1) *IN GENERAL.*—*Each eligible partnership*  
21                     *that desires a grant under this section shall submit*  
22                     *an application to the Secretary at such time, in such*  
23                     *manner, and accompanied by such additional infor-*  
24                     *mation as the Secretary may require.*

1           “(2) *CONTENTS.*—*Each application submitted*  
 2           *under paragraph (1) shall include a description of—*

3                   “(A) *how the eligible partnership, through*  
 4                   *the institution of higher education, will provide*  
 5                   *relevant job skill training for students to enter*  
 6                   *high-growth occupations or industries;*

7                   “(B) *local high-growth occupations or in-*  
 8                   *dustries; and*

9                   “(C) *the need for qualified workers to meet*  
 10                  *the local demand of high-growth occupations or*  
 11                  *industries.*

12          “(d) *AWARD BASIS.*—*In awarding grants under this*  
 13          *section, the Secretary shall—*

14                  “(1) *ensure an equitable distribution of grant*  
 15                  *funds under this section among urban and rural*  
 16                  *areas of the United States; and*

17                  “(2) *take into consideration the capability of the*  
 18                  *institution of higher education—*

19                       “(A) *to offer relevant, high quality instruc-*  
 20                       *tion and job skill training for students entering*  
 21                       *a high-growth occupation or industry;*

22                       “(B) *to involve the local business commu-*  
 23                       *nity and to place graduates in the community in*  
 24                       *employment in high-growth occupations or in-*  
 25                       *dustries;*

1           “(C) to provide secondary students with  
2           dual-enrollment or concurrent enrollment op-  
3           tions;

4           “(D) to serve nontraditional or low-income  
5           students, or adult or displaced workers; and

6           “(E) to serve students from rural or remote  
7           communities.

8           “(e) *USE OF FUNDS.*—Grant funds provided under  
9           this section may be used—

10           “(1) to expand or create academic programs or  
11           programs of training that provide relevant job skill  
12           training for high-growth occupations or industries;

13           “(2) to purchase equipment which will facilitate  
14           the development of academic programs or programs of  
15           training that provide training for high-growth occu-  
16           pations or industries;

17           “(3) to support outreach efforts that enable stu-  
18           dents to attend institutions of higher education with  
19           academic programs or programs of training focused  
20           on high-growth occupations or industries;

21           “(4) to expand or create programs for distance,  
22           evening, weekend, modular, or compressed learning  
23           opportunities that provide relevant job skill training  
24           in high-growth occupations or industries;

1           “(5) to build partnerships with local businesses  
2           in high-growth occupations or industries;

3           “(6) to support curriculum development related  
4           to entrepreneurial training; and

5           “(7) for other uses that the Secretary determines  
6           to be consistent with the intent of this section.

7           “(f) *REQUIREMENTS.*—

8           “(1) *FISCAL AGENT.*—For the purpose of this  
9           section, the institution of higher education in an eli-  
10          gible partnership shall serve as the fiscal agent and  
11          grant recipient for the eligible partnership.

12          “(2) *DURATION.*—The Secretary shall award  
13          grants under this section for periods that may not ex-  
14          ceed 5 years.

15          “(3) *SUPPLEMENT, NOT SUPPLANT.*—Funds  
16          made available under this section shall be used to  
17          supplement and not supplant other Federal, State,  
18          and local funds available to the eligible partnership  
19          for carrying out the activities described in subsection  
20          (e).

21          “(g) *AUTHORIZATION OF APPROPRIATIONS.*—There  
22          are authorized to be appropriated to carry out this part  
23          such sums as may be necessary for fiscal year 2008 and  
24          each of the 5 succeeding fiscal years.



1 **“PART D—ADDITIONAL CAPACITY FOR R.N. STU-**  
 2 **DENTS OR GRADUATE-LEVEL NURSING STU-**  
 3 **DENTS**

4 **“SEC. 826. ADDITIONAL CAPACITY FOR R.N. STUDENTS OR**  
 5 **GRADUATE-LEVEL NURSING STUDENTS.**

6 *“(a) AUTHORIZATION.—The Secretary shall award*  
 7 *grants to institutions of higher education that offer—*

8 *“(1) a R.N. nursing program at the bacca-*  
 9 *laureate or associate degree level to enable such pro-*  
 10 *gram to expand the faculty and facilities of such pro-*  
 11 *gram to accommodate additional R.N. nursing pro-*  
 12 *gram students; or*

13 *“(2) a graduate-level nursing program to accom-*  
 14 *modate advanced practice degrees for R.N.s or to ac-*  
 15 *commodate students enrolled in a graduate-level nurs-*  
 16 *ing program to provide teachers of nursing students.*

17 *“(b) DETERMINATION OF NUMBER OF STUDENTS AND*  
 18 *APPLICATION.—Each institution of higher education that*  
 19 *offers a program described in subsection (a) that desires to*  
 20 *receive a grant under this section shall—*

21 *“(1) determine for the 4 academic years pre-*  
 22 *ceding the academic year for which the determination*  
 23 *is made the average number of matriculated nursing*  
 24 *program students at such institution for such aca-*  
 25 *demic years; and*

1           “(2) submit an application to the Secretary at  
 2           such time, in such manner, and accompanied by such  
 3           information as the Secretary may require, including  
 4           the average number determined under paragraph (1).

5           “(c) GRANT AMOUNT; AWARD BASIS.—

6           “(1) GRANT AMOUNT.—For each academic year  
 7           after academic year 2006-2007, the Secretary shall  
 8           provide to each institution of higher education award-  
 9           ed a grant under this section an amount that is equal  
 10          to \$3,000 multiplied by the number of matriculated  
 11          nursing program students at such institution for such  
 12          academic year that is more than the average number  
 13          determined with respect to such institution under sub-  
 14          section (b)(1). Such amount shall be used for the pur-  
 15          poses described in subsection (a).

16          “(2) DISTRIBUTION OF GRANTS AMONG DIF-  
 17          FERENT DEGREE PROGRAMS.—

18               “(A) IN GENERAL.—Subject to subpara-  
 19               graph (B), from the funds available to award  
 20               grants under this section for each fiscal year, the  
 21               Secretary shall—

22                       “(i) use 20 percent of such funds to  
 23                       award grants under this section to institu-  
 24                       tions of higher education for the purpose of  
 25                       accommodating advanced practice degrees

1                   or students in graduate-level nursing pro-  
2                   grams;

3                   “(ii) use 40 percent of such funds to  
4                   award grants under this section to institu-  
5                   tions of higher education for the purpose of  
6                   expanding R.N. nursing programs at the  
7                   baccalaureate degree level; and

8                   “(iii) use 40 percent of such funds to  
9                   award grants under this section to institu-  
10                  tions of higher education for the purpose of  
11                  expanding R.N. nursing programs at the  
12                  associate degree level.

13                  “(B) *DISTRIBUTION OF EXCESS FUNDS.*—If,  
14                  for a fiscal year, funds described in clause (i),  
15                  (ii), or (iii) of subparagraph (A) remain after  
16                  the Secretary awards grants under this section to  
17                  all applicants for the particular category of  
18                  nursing programs described in such clause, the  
19                  Secretary shall use equal amounts of the remain-  
20                  ing funds to award grants under this section to  
21                  applicants for the remaining categories of nurs-  
22                  ing programs.

23                  “(C) *EQUITABLE DISTRIBUTION.*—In  
24                  awarding grants under this section, the Sec-  
25                  retary shall, to the extent practicable, ensure—

1                   “(i) *an equitable geographic distribu-*  
 2                   *tion of the grants among the States; and*

3                   “(ii) *an equitable distribution of the*  
 4                   *grants among different types of institutions*  
 5                   *of higher education.*

6           “(d) *PROHIBITION.—*

7                   “(1) *IN GENERAL.—Funds provided under this*  
 8                   *section may not be used for the construction of new*  
 9                   *facilities.*

10                   “(2) *RULE OF CONSTRUCTION.—Nothing in*  
 11                   *paragraph (1) shall be construed to prohibit funds*  
 12                   *provided under this section from being used for the re-*  
 13                   *pair or renovation of facilities.*

14                   “(e) *AUTHORIZATION OF APPROPRIATIONS.—There are*  
 15                   *authorized to be appropriated to carry out this section such*  
 16                   *sums as may be necessary.*

17       **“PART E—AMERICAN HISTORY FOR FREEDOM**

18       **“SEC. 831. AMERICAN HISTORY FOR FREEDOM.**

19                   “(a) *GRANTS AUTHORIZED.—The Secretary is author-*  
 20                   *ized to award 3-year grants, on a competitive basis, to eligi-*  
 21                   *ble institutions to establish or strengthen postsecondary aca-*  
 22                   *demic programs or centers that promote and impart knowl-*  
 23                   *edge of—*

24                   “(1) *traditional American history;*

1           “(2) *the history and nature of, and threats to,*  
2           *free institutions; or*

3           “(3) *the history and achievements of Western civ-*  
4           *ilization.*

5           “(b) *DEFINITIONS.—In this section:*

6           “(1) *ELIGIBLE INSTITUTION.—The term ‘eligible*  
7           *institution’ means an institution of higher education*  
8           *as defined in section 101.*

9           “(2) *FREE INSTITUTION.—The term ‘free institu-*  
10          *tion’ means an institution that emerged out of West-*  
11          *ern civilization, such as democracy, constitutional*  
12          *government, individual rights, market economics, reli-*  
13          *gious freedom and religious tolerance, and freedom of*  
14          *thought and inquiry.*

15          “(3) *TRADITIONAL AMERICAN HISTORY.—The*  
16          *term ‘traditional American history’ means—*

17               “(A) *the significant constitutional, political,*  
18               *intellectual, economic, and foreign policy trends*  
19               *and issues that have shaped the course of Amer-*  
20               *ican history; and*

21               “(B) *the key episodes, turning points, and*  
22               *leading figures involved in the constitutional, po-*  
23               *litical, intellectual, diplomatic, and economic*  
24               *history of the United States.*

25          “(c) *APPLICATION.—*

1           “(1) *IN GENERAL.*—*Each eligible institution that*  
 2           *desires a grant under this part shall submit an appli-*  
 3           *cation to the Secretary at such time, in such manner,*  
 4           *and accompanied by such additional information as*  
 5           *the Secretary may require.*

6           “(2) *CONTENTS.*—*Each application submitted*  
 7           *under subsection (a) shall include a description of —*

8                   “(A) *how funds made available under this*  
 9                   *part will be used for the activities set forth under*  
 10                   *subsection (e), including how such activities will*  
 11                   *increase knowledge with respect to traditional*  
 12                   *American history, free institutions, or Western*  
 13                   *civilization;*

14                   “(B) *how the eligible institution will ensure*  
 15                   *that information about the activities funded*  
 16                   *under this part is widely disseminated pursuant*  
 17                   *to subsection (e)(1)(B);*

18                   “(C) *any activities to be undertaken pursu-*  
 19                   *ant to subsection (e)(2)(A), including identifica-*  
 20                   *tion of entities intended to participate;*

21                   “(D) *how funds made available under this*  
 22                   *part shall be used to supplement and not sup-*  
 23                   *plant non-Federal funds available for the activi-*  
 24                   *ties described in subsection (e); and*

1           “(E) such fiscal controls and accounting  
 2           procedures as may be necessary to ensure proper  
 3           disbursement of and accounting for funding  
 4           made available to the eligible institution under  
 5           this part.

6           “(d) AWARD BASIS.—In awarding grants under this  
 7           part, the Secretary shall take into consideration the capa-  
 8           bility of the eligible institution to—

9           “(1) increase access to quality programming that  
 10          expands knowledge of traditional American history,  
 11          free institutions, or Western civilization;

12          “(2) involve personnel with strong expertise in  
 13          traditional American history, free institutions, or  
 14          Western civilization; and

15          “(3) sustain the activities funded under this part  
 16          after the grant has expired.

17          “(e) USE OF FUNDS.—

18          “(1) REQUIRED USE OF FUNDS.—Funds pro-  
 19          vided under this part shall be used to—

20          “(A) establish or strengthen academic pro-  
 21          grams or centers focused on traditional Amer-  
 22          ican history, free institutions, or Western civi-  
 23          lization, which may include—

1                   “(i) design and implementation of pro-  
 2                   grams of study, courses, lecture series, semi-  
 3                   nars, and symposia;

4                   “(ii) development, publication, and  
 5                   dissemination of instructional materials;

6                   “(iii) research;

7                   “(iv) support for faculty teaching in  
 8                   undergraduate and, if applicable, graduate  
 9                   programs;

10                  “(v) support for graduate and post-  
 11                  graduate fellowships, if applicable; or

12                  “(vi) teacher preparation initiatives  
 13                  that stress content mastery regarding tradi-  
 14                  tional American history, free institutions,  
 15                  or Western civilization; and

16                  “(B) conduct outreach activities to ensure  
 17                  that information about the activities funded  
 18                  under this part is widely disseminated—

19                       “(i) to undergraduate students (includ-  
 20                       ing students enrolled in teacher education  
 21                       programs, if applicable);

22                       “(ii) to graduate students (including  
 23                       students enrolled in teacher education pro-  
 24                       grams), if applicable;

25                       “(iii) to faculty;



1                   “(iv) to local educational agencies; and

2                   “(v) within the local community.

3                   “(2) *ALLOWABLE USES OF FUNDS.*—*Funds pro-*  
4                   *vided under this part may be used to support—*

5                   “(A) *collaboration with entities such as—*

6                   “(i) *local educational agencies, for the*  
7                   *purpose of providing elementary, middle*  
8                   *and secondary school teachers an oppor-*  
9                   *tunity to enhance their knowledge of tradi-*  
10                   *tional American history, free institutions,*  
11                   *or Western civilization; and*

12                   “(ii) *nonprofit organizations whose*  
13                   *mission is consistent with the purpose of*  
14                   *this part, such as academic organizations,*  
15                   *museums, and libraries, for assistance in*  
16                   *carrying out activities described under sub-*  
17                   *section (a); and*

18                   “(B) *other activities that meet the purposes*  
19                   *of this part.*

20                   “(f) *AUTHORIZATION OF APPROPRIATIONS.*—*For the*  
21                   *purpose of carrying out this part, there are authorized to*  
22                   *be appropriated such sums as may be necessary for fiscal*  
23                   *year 2008 and each of the 5 succeeding fiscal years.*

1                   **“PART F—TEACH FOR AMERICA**

2   **“SEC. 836. TEACH FOR AMERICA.**

3           “(a) *DEFINITIONS.*—

4                   “(1) *IN GENERAL.*—*The terms ‘highly qualified’,*  
 5           *‘local educational agency’, and ‘Secretary’ have the*  
 6           *meanings given the terms in section 9101 of the Ele-*  
 7           *mentary and Secondary Education Act of 1965 (20*  
 8           *U.S.C. 7801).*

9                   “(2) *GRANTEE.*—*The term ‘grantee’ means Teach*  
 10          *For America, Inc.*

11                  “(3) *HIGH NEED.*—*The term ‘high need’, when*  
 12          *used with respect to a local educational agency,*  
 13          *means a local educational agency experiencing a*  
 14          *shortage of highly qualified teachers.*

15                  “(b) *GRANTS AUTHORIZED.*—*The Secretary is author-*  
 16          *ized to award a grant to Teach For America, Inc., the na-*  
 17          *tional teacher corps of outstanding recent college graduates*  
 18          *who commit to teach for 2 years in underserved commu-*  
 19          *nities in the United States, to implement and expand its*  
 20          *program of recruiting, selecting, training, and supporting*  
 21          *new teachers.*

22                  “(c) *REQUIREMENTS.*—*In carrying out the grant pro-*  
 23          *gram under subsection (b), the Secretary shall enter into*  
 24          *an agreement with the grantee under which the grantee*  
 25          *agrees to use the grant funds provided under this section—*

1           “(1) to provide highly qualified teachers to high  
2           need local educational agencies in urban and rural  
3           communities;

4           “(2) to pay the cost of recruiting, selecting,  
5           training, and supporting new teachers; and

6           “(3) to serve a substantial number and percent-  
7           age of underserved students.

8           “(d) *AUTHORIZED ACTIVITIES.*—

9           “(1) *IN GENERAL.*—Grant funds provided under  
10          this section shall be used by the grantee to carry out  
11          each of the following activities:

12           “(A) *Recruiting and selecting teachers*  
13          *through a highly selective national process.*

14           “(B) *Providing preservice training to the*  
15          *teachers through a rigorous summer institute*  
16          *that includes hands-on teaching experience and*  
17          *significant exposure to education coursework and*  
18          *theory.*

19           “(C) *Placing the teachers in schools and po-*  
20          *sitions designated by partner local educational*  
21          *agencies as high need placements serving under-*  
22          *served students.*

23           “(D) *Providing ongoing professional devel-*  
24          *opment activities for the teachers’ first 2 years*  
25          *in the classroom, including regular classroom ob-*

1       *servations and feedback, and ongoing training*  
 2       *and support.*

3       “(2) *LIMITATION.*—*The grantee shall use all*  
 4       *grant funds received under this section to support ac-*  
 5       *tivities related directly to the recruitment, selection,*  
 6       *training, and support of teachers as described in sub-*  
 7       *section (a).*

8       “(e) *REPORTS AND EVALUATIONS.*—

9       “(1) *ANNUAL REPORT.*—*The grantee shall pro-*  
 10       *vide to the Secretary an annual report that in-*  
 11       *cludes—*

12               “(A) *data on the number and quality of the*  
 13               *teachers provided to local educational agencies*  
 14               *through a grant under this section;*

15               “(B) *an externally conducted analysis of the*  
 16               *satisfaction of local educational agencies and*  
 17               *principals with the teachers so provided; and*

18               “(C) *comprehensive data on the background*  
 19               *of the teachers chosen, the training the teachers*  
 20               *received, the placement sites of the teachers, the*  
 21               *professional development of the teachers, and the*  
 22               *retention of the teachers.*

23       “(2) *STUDY.*—

24               “(A) *IN GENERAL.*—*From funds appro-*  
 25               *priated under subsection (f), the Secretary shall*

1        *provide for a study that examines the achieve-*  
 2        *ment levels of the students taught by the teachers*  
 3        *assisted under this section.*

4                “(B) *ACHIEVEMENT GAINS COMPARED.—*  
 5        *The study shall compare, within the same*  
 6        *schools, the achievement gains made by students*  
 7        *taught by teachers who are assisted under this*  
 8        *section with the achievement gains made by stu-*  
 9        *dents taught by teachers who are not assisted*  
 10       *under this section.*

11               “(3) *REQUIREMENTS.—The Secretary shall pro-*  
 12       *vide for such a study not less than once every 3 years,*  
 13       *and each such study shall include multiple placement*  
 14       *sites and multiple schools within placement sites.*

15               “(4) *PEER REVIEW STANDARDS.—Each such*  
 16       *study shall meet the peer review standards of the edu-*  
 17       *cation research community.*

18               “(f) *AUTHORIZATION OF APPROPRIATIONS.—*

19               “(1) *IN GENERAL.—There are authorized to be*  
 20       *appropriated to carry out this section such sums as*  
 21       *may be necessary for fiscal year 2008 and each of the*  
 22       *5 succeeding fiscal years.*

23               “(2) *LIMITATION.—The grantee shall not use*  
 24       *more than 25 percent of Federal funds from any*  
 25       *source for administrative costs.*

1 **“PART G—PATSY T. MINK FELLOWSHIP PROGRAM**

2 **“SEC. 841. PATSY T. MINK FELLOWSHIP PROGRAM.**

3 “(a) *PURPOSE.*—

4 “(1) *IN GENERAL.*—*It is the purpose of this sec-*  
 5 *tion to provide, through eligible institutions, a pro-*  
 6 *gram of fellowship awards to assist highly qualified*  
 7 *minorities and women to acquire the doctoral degree,*  
 8 *or highest possible degree available, in academic areas*  
 9 *in which such individuals are underrepresented for*  
 10 *the purpose of enabling such individuals to enter the*  
 11 *higher education professoriate.*

12 “(2) *DESIGNATION.*—*Each recipient of a fellow-*  
 13 *ship award from an eligible institution receiving a*  
 14 *grant under this section shall be known as a ‘Patsy*  
 15 *T. Mink Graduate Fellow’.*

16 “(b) *DEFINITIONS.*—*In this section, the term ‘eligible*  
 17 *institution’ means an institution of higher education, or a*  
 18 *consortium of such institutions, that offers a program of*  
 19 *postbaccalaureate study leading to a graduate degree.*

20 “(c) *PROGRAM AUTHORIZED.*—

21 “(1) *GRANTS BY SECRETARY.*—

22 “(A) *IN GENERAL.*—*The Secretary shall*  
 23 *award grants to eligible institutions to enable*  
 24 *such institutions to make fellowship awards to*  
 25 *individuals in accordance with the provisions of*  
 26 *this section.*

1                   “(B) *PRIORITY CONSIDERATION.*—*In*  
 2                   *awarding grants under this section, the Sec-*  
 3                   *retary shall consider the eligible institution’s*  
 4                   *prior experience in producing doctoral degree, or*  
 5                   *highest possible degree available, holders who are*  
 6                   *minorities and women, and shall give priority*  
 7                   *consideration in making grants under this sec-*  
 8                   *tion to those eligible institutions with a dem-*  
 9                   *onstrated record of producing minorities and*  
 10                   *women who have earned such degrees.*

11                   “(2) *APPLICATIONS.*—

12                   “(A) *IN GENERAL.*—*An eligible institution*  
 13                   *that desires a grant under this section shall sub-*  
 14                   *mit an application to the Secretary at such time,*  
 15                   *in such manner, and containing such informa-*  
 16                   *tion as the Secretary may require.*

17                   “(B) *APPLICATIONS MADE ON BEHALF.*—

18                   “(i) *IN GENERAL.*—*The following enti-*  
 19                   *ties may submit an application on behalf of*  
 20                   *an eligible institution:*

21                   “(I) *A graduate school or depart-*  
 22                   *ment of such institution.*

23                   “(II) *A graduate school or depart-*  
 24                   *ment of such institution in collabora-*

tion with an undergraduate college or university of such institution.

“(III) An organizational unit within such institution that offers a program of postbaccalaureate study leading to a graduate degree, including an interdisciplinary or an interdepartmental program.

“(IV) A nonprofit organization with a demonstrated record of helping minorities and women earn postbaccalaureate degrees.

“(ii) NONPROFIT ORGANIZATIONS.—Nothing in this paragraph shall be construed to permit the Secretary to award a grant under this section to an entity other than an eligible institution.

“(3) SELECTION OF APPLICATIONS.—In awarding grants under subsection (a), the Secretary shall—

“(A) take into account—

“(i) the number and distribution of minority and female faculty nationally;

“(ii) the current and projected need for highly trained individuals in all areas of the higher education professoriate; and



1                   “(iii) the present and projected need  
 2                   for highly trained individuals in academic  
 3                   career fields in which minorities and  
 4                   women are underrepresented in the higher  
 5                   education professoriate; and

6                   “(B) consider the need to prepare a large  
 7                   number of minorities and women generally in  
 8                   academic career fields of high national priority,  
 9                   especially in areas in which such individuals are  
 10                  traditionally underrepresented in college and  
 11                  university faculty.

12                  “(4) DISTRIBUTION AND AMOUNTS OF GRANTS.—

13                  “(A)     EQUITABLE     DISTRIBUTION.—In  
 14                  awarding grants under this section, the Sec-  
 15                  retary shall, to the maximum extent feasible, en-  
 16                  sure an equitable geographic distribution of  
 17                  awards and an equitable distribution among  
 18                  public and independent eligible institutions that  
 19                  apply for grants under this section and that  
 20                  demonstrate an ability to achieve the purpose of  
 21                  this section.

22                  “(B) SPECIAL RULE.—To the maximum ex-  
 23                  tent practicable, the Secretary shall use not less  
 24                  than 30 percent of the amount appropriated pur-

1        *suant to subsection (f) to award grants to eligible*  
 2        *institutions that—*

3                *“(i) are eligible for assistance under*  
 4                *title III or title V; or*

5                *“(ii) have formed a consortium that*  
 6                *includes both non-minority serving institu-*  
 7                *tions and minority serving institutions.*

8                *“(C) ALLOCATION.—In awarding grants*  
 9        *under this section, the Secretary shall allocate*  
 10        *appropriate funds to those eligible institutions*  
 11        *whose applications indicate an ability to signifi-*  
 12        *cantly increase the numbers of minorities and*  
 13        *women entering the higher education professo-*  
 14        *riate and that commit institutional resources to*  
 15        *the attainment of the purpose of this section.*

16                *“(D) NUMBER OF FELLOWSHIP AWARDS.—*  
 17        *An eligible institution that receives a grant*  
 18        *under this section shall make not less than 15*  
 19        *fellowship awards.*

20                *“(E) REALLOTMENT.—If the Secretary de-*  
 21        *termines that an eligible institution awarded a*  
 22        *grant under this section is unable to use all of*  
 23        *the grant funds awarded to the institution, the*  
 24        *Secretary shall realLOT, on such date during each*  
 25        *fiscal year as the Secretary may fix, the unused*

1        *funds to other eligible institutions that dem-*  
 2        *onstrate that such institutions can use any re-*  
 3        *allocated grant funds to make fellowship awards*  
 4        *to individuals under this section.*

5        “(5) *INSTITUTIONAL ALLOWANCE.*—

6                “(A) *IN GENERAL.*—

7                        “(i) *NUMBER OF ALLOWANCES.*—*In*  
 8                        *awarding grants under this section, the Sec-*  
 9                        *retary shall pay to each eligible institution*  
 10                       *awarded a grant, for each individual*  
 11                       *awarded a fellowship by such institution*  
 12                       *under this section, an institutional allow-*  
 13                       *ance.*

14                      “(ii) *AMOUNT.*—*Except as provided in*  
 15                      *paragraph (3), an institutional allowance*  
 16                      *shall be in an amount equal to, for aca-*  
 17                      *ademic year 2007–2008 and succeeding aca-*  
 18                      *ademic years, the amount of institutional al-*  
 19                      *lowance made to an institution of higher*  
 20                      *education under section 715 for such aca-*  
 21                      *ademic year.*

22                      “(B) *USE OF FUNDS.*—*Institutional allow-*  
 23                      *ances may be expended in the discretion of the*  
 24                      *eligible institution and may be used to provide,*  
 25                      *except as prohibited under paragraph (4), aca-*

1        *demic support and career transition services for*  
 2        *individuals awarded fellowships by such institu-*  
 3        *tion.*

4                “(C) *REDUCTION.*—*The institutional allow-*  
 5        *ance paid under paragraph (1) shall be reduced*  
 6        *by the amount the eligible institution charges*  
 7        *and collects from a fellowship recipient for tui-*  
 8        *tion and other expenses as part of the recipient’s*  
 9        *instructional program.*

10               “(D) *USE FOR OVERHEAD PROHIBITED.*—  
 11        *Funds made available under this section may*  
 12        *not be used for general operational overhead of*  
 13        *the academic department or institution receiving*  
 14        *funds under this section.*

15        “(d) *FELLOWSHIP RECIPIENTS.*—

16               “(1) *AUTHORIZATION.*—*An eligible institution*  
 17        *that receives a grant under this section shall use the*  
 18        *grant funds to make fellowship awards to minorities*  
 19        *and women who are enrolled at such institution in a*  
 20        *doctoral degree, or highest possible degree available,*  
 21        *program and—*

22               “(A) *intend to pursue a career in instruc-*  
 23        *tion at—*

24               “(i) *an institution of higher education*  
 25        *(as the term is defined in section 101);*

1                   “(ii) an institution of higher education  
2                   (as the term is defined in section  
3                   102(a)(1));

4                   “(iii) an institution of higher edu-  
5                   cation outside the United States (as the  
6                   term is described in section 102(a)(2)); or

7                   “(iv) a proprietary institution of high-  
8                   er education (as the term is defined in sec-  
9                   tion 102(b)); and

10                  “(B) sign an agreement with the Secretary  
11                  agreeing—

12                   “(i) to begin employment at an insti-  
13                   tution described in paragraph (1) not later  
14                   than 3 years after receiving the doctoral de-  
15                   gree or highest possible degree available,  
16                   which 3-year period may be extended by the  
17                   Secretary for extraordinary circumstances;  
18                   and

19                   “(ii) to be employed by such institu-  
20                   tion for 1 year for each year of fellowship  
21                   assistance received under this section.

22                  “(2) *FAILURE TO COMPLY.*—If an individual  
23                  who receives a fellowship award under this section  
24                  fails to comply with the agreement signed pursuant to

1 subsection (a)(2), then the Secretary shall do 1 or  
2 both of the following:

3 “(A) Require the individual to repay all or  
4 the applicable portion of the total fellowship  
5 amount awarded to the individual by converting  
6 the balance due to a loan at the interest rate ap-  
7 plicable to loans made under part B of title IV.

8 “(B) Impose a fine or penalty in an  
9 amount to be determined by the Secretary.

10 “(3) WAIVER AND MODIFICATION.—

11 “(A) REGULATIONS.—The Secretary shall  
12 promulgate regulations setting forth criteria to  
13 be considered in granting a waiver for the serv-  
14 ice requirement under subsection (a)(2).

15 “(B) CONTENT.—The criteria under para-  
16 graph (1) shall include whether compliance with  
17 the service requirement by the fellowship recipi-  
18 ent would be—

19 “(i) inequitable and represent an ex-  
20 traordinary hardship; or

21 “(ii) deemed impossible because the in-  
22 dividual is permanently and totally dis-  
23 abled at the time of the waiver request.

24 “(4) AMOUNT OF FELLOWSHIP AWARDS.—Fellow-  
25 ship awards under this section shall consist of a sti-

1        *pend in an amount equal to the level of support pro-*  
 2        *vided to the National Science Foundation graduate*  
 3        *fellows, except that such stipend shall be adjusted as*  
 4        *necessary so as not to exceed the fellow's tuition and*  
 5        *fees or demonstrated need (as determined by the insti-*  
 6        *tution of higher education where the graduate student*  
 7        *is enrolled), whichever is greater.*

8                *“(5) ACADEMIC PROGRESS REQUIRED.—An indi-*  
 9        *vidual student shall not be eligible to receive a fellow-*  
 10       *ship award—*

11                *“(A) except during periods in which such*  
 12        *student is enrolled, and such student is main-*  
 13        *taining satisfactory academic progress in, and*  
 14        *devoting essentially full time to, study or re-*  
 15        *search in the pursuit of the degree for which the*  
 16        *fellowship support was awarded; and*

17                *“(B) if the student is engaged in gainful*  
 18        *employment, other than part-time employment*  
 19        *in teaching, research, or similar activity deter-*  
 20        *mined by the eligible institution to be consistent*  
 21        *with and supportive of the student's progress to-*  
 22        *ward the appropriate degree.*

23                *“(e) RULE OF CONSTRUCTION.—Nothing in this sec-*  
 24        *tion shall be construed to require an eligible institution that*  
 25        *receives a grant under this section—*

1           “(1) to grant a preference or to differentially  
2           treat any applicant for a faculty position as a result  
3           of the institution’s participation in the program  
4           under this section; or

5           “(2) to hire a Patsy T. Mink Fellow who com-  
6           pletes this program and seeks employment at such in-  
7           stitution.

8           “(f) *AUTHORIZATION OF APPROPRIATIONS.*—There is  
9           authorized to be appropriated to carry out this section such  
10          sums as may be necessary for fiscal year 2008 for each of  
11          the 5 succeeding fiscal years.

12       **“PART H—IMPROVING COLLEGE ENROLLMENT BY**  
13                               **SECONDARY SCHOOLS**

14       **“SEC. 846. IMPROVING COLLEGE ENROLLMENT BY SEC-**  
15                               **ONDARY SCHOOLS.**

16           “(a) *IN GENERAL.*—The Secretary shall contract with  
17          1 nonprofit organization described in subsection (b) to en-  
18          able the nonprofit organization—

19           “(1) to make publicly available the year-to-year  
20          higher education enrollment rate trends of secondary  
21          school students, disaggregated by secondary school, in  
22          full compliance with the Family Education Rights  
23          and Privacy Act of 1974;

24           “(2) to identify not less than 50 urban local edu-  
25          cational agencies and 5 States with significant rural



1        *populations, each serving a significant population of*  
2        *low-income students, and to carry out a comprehen-*  
3        *sive needs assessment in the agencies and States of the*  
4        *factors known to contribute to improved higher edu-*  
5        *cation enrollment rates, which factors shall include—*

6                *“(A) an evaluation of the local educational*  
7                *agency’s and State’s leadership strategies;*

8                *“(B) the secondary school curriculum and*  
9                *class offerings of the local educational agency*  
10               *and State;*

11               *“(C) the professional development used by*  
12               *the local educational agency and the State to as-*  
13               *sist teachers, higher education counselors, and*  
14               *administrators in supporting the transition of*  
15               *secondary students into higher education;*

16               *“(D) secondary school student attendance*  
17               *and other factors demonstrated to be associated*  
18               *with enrollment into higher education;*

19               *“(E) the data systems used by the local edu-*  
20               *cational agency and the State to measure college*  
21               *enrollment rates and the incentives in place to*  
22               *motivate the efforts of faculty and students to*  
23               *improve student and school-wide outcomes; and*

24               *“(F) strategies to mobilize student leaders to*  
25               *build a college-bound culture; and*

1           “(3) to provide comprehensive services to im-  
 2       prove the school-wide higher education enrollment  
 3       rates of each of not less than 10 local educational  
 4       agencies and States, with the federally funded portion  
 5       of each project declining by not less than 20 percent  
 6       each year beginning in the second year of the com-  
 7       prehensive services, that—

8           “(A) participated in the needs assessment  
 9       described in paragraph (2); and

10          “(B) demonstrated a willingness and com-  
 11       mitment to improving the higher education en-  
 12       rollment rates of the local educational agency or  
 13       State, respectively.

14          “(b) *GRANT RECIPIENT CRITERIA.*—The recipient of  
 15       the grant awarded under subsection (a) shall be a nonprofit  
 16       organization with demonstrated expertise—

17          “(1) in increasing school-wide higher education  
 18       enrollment rates in low-income communities nation-  
 19       wide by providing curriculum, training, and tech-  
 20       nical assistance to secondary school staff and student  
 21       peer influencers; and

22          “(2) in a college transition data management  
 23       system.

24          “(c) *AUTHORIZATION OF APPROPRIATIONS.*—There are  
 25       authorized to be appropriated to carry out this section such

1 *sums as are necessary for fiscal year 2008 and each of the*  
 2 *5 succeeding fiscal years.*

3 ***“PART I—PREDOMINANTLY BLACK INSTITUTIONS***

4 ***“SEC. 850. PREDOMINANTLY BLACK INSTITUTIONS.***

5 *“(a) PURPOSE.—It is the purpose of this section to as-*  
 6 *sist Predominantly Black Institutions in expanding edu-*  
 7 *cational opportunity through a program of Federal assist-*  
 8 *ance.*

9 *“(b) DEFINITIONS.—In this section:*

10 *“(1) EDUCATIONAL AND GENERAL EXPENDI-*  
 11 *TURES.—The term ‘educational and general expendi-*  
 12 *tures’ has the meaning given the term in section 312.*

13 *“(2) ELIGIBLE INSTITUTION.—The term ‘eligible*  
 14 *institution’ means an institution of higher education*  
 15 *that—*

16 *“(A) has an enrollment of needy under-*  
 17 *graduate students;*

18 *“(B) has an average educational and gen-*  
 19 *eral expenditure which is low, per full-time*  
 20 *equivalent undergraduate student in comparison*  
 21 *with the average educational and general ex-*  
 22 *penditure per full-time equivalent undergraduate*  
 23 *student of institutions that offer similar instruc-*  
 24 *tion, except that the Secretary may apply the*  
 25 *waiver requirements described in section 392(b)*

1           to this subparagraph in the same manner as the  
 2           Secretary applies the waiver requirements to sec-  
 3           tion 312(b)(1)(B);

4           “(C) has an enrollment of undergraduate  
 5           students that is not less than 40 percent Black  
 6           American students;

7           “(D) is legally authorized to provide, and  
 8           provides within the State, an educational pro-  
 9           gram for which the institution of higher edu-  
 10          cation awards a baccalaureate degree, or in the  
 11          case of a junior or community college, an associ-  
 12          ate’s degree; and

13          “(E) is accredited by a nationally recog-  
 14          nized accrediting agency or association deter-  
 15          mined by the Secretary to be a reliable authority  
 16          as to the quality of training offered, or is, ac-  
 17          cording to such an agency or association, mak-  
 18          ing reasonable progress toward accreditation.

19          “(3) *ENDOWMENT FUND*.—The term ‘endowment  
 20          fund’ has the meaning given the term in section 312.

21          “(4) *ENROLLMENT OF NEEDY STUDENTS*.—The  
 22          term ‘enrollment of needy students’ means the enroll-  
 23          ment at an eligible institution with respect to which  
 24          not less than 50 percent of the undergraduate students

1        *enrolled in an academic program leading to a de-*  
2        *gree—*

3                *“(A) in the second fiscal year preceding the*  
4                *fiscal year for which the determination is made,*  
5                *were Federal Pell Grant recipients for such year;*

6                *“(B) come from families that receive bene-*  
7                *fits under a means-tested Federal benefit pro-*  
8                *gram;*

9                *“(C) attended a public or nonprofit private*  
10               *secondary school—*

11               *“(i) that is in the school district of a*  
12               *local educational agency that was eligible*  
13               *for assistance under part A of title I of the*  
14               *Elementary and Secondary Education Act*  
15               *of 1965 for any year during which the stu-*  
16               *dent attended such secondary school; and*

17               *“(ii) which for the purpose of this*  
18               *paragraph and for that year was deter-*  
19               *mined by the Secretary (pursuant to regula-*  
20               *tions and after consultation with the State*  
21               *educational agency of the State in which the*  
22               *school is located) to be a school in which the*  
23               *enrollment of children counted under section*  
24               *1113(a)(5) of such Act exceeds 30 percent of*  
25               *the total enrollment of such school; or*

1           “(D) are first-generation college students  
2           and a majority of such first-generation college  
3           students are low-income individuals.

4           “(5) *FIRST GENERATION COLLEGE STUDENT*.—  
5           The term ‘first generation college student’ has the  
6           meaning given the term in section 402A(g).

7           “(6) *LOW-INCOME INDIVIDUAL*.—The term ‘low-  
8           income individual’ has the meaning given such term  
9           in section 402A(g).

10          “(7) *MEANS-TESTED FEDERAL BENEFIT PRO-*  
11          *GRAM*.—The term ‘means-tested Federal benefit pro-  
12          gram’ means a program of the Federal Government,  
13          other than a program under title IV, in which eligi-  
14          bility for the program’s benefits, or the amount of  
15          such benefits, are determined on the basis of income  
16          or resources of the individual or family seeking the  
17          benefit.

18          “(8) *PREDOMINANTLY BLACK INSTITUTION*.—The  
19          term ‘Predominantly Black Institution’ means an in-  
20          stitution of higher education, as defined in section  
21          101(a)—

22                 “(A) that is an eligible institution with not  
23                 less than 1,000 undergraduate students;

24                 “(B) at which not less than 50 percent of  
25                 the undergraduate students enrolled at the eligi-

1            *ble institution are low-income individuals or*  
 2            *first generation college students; and*

3            *“(C) at which not less than 50 percent of*  
 4            *the undergraduate students are enrolled in an*  
 5            *educational program leading to a bachelor’s or*  
 6            *associate’s degree that the eligible institution is*  
 7            *licensed to award by the State in which the eligi-*  
 8            *ble institution is located.*

9            *“(9) STATE.—The term ‘State’ means each of the*  
 10          *50 States and the District of Columbia.*

11          *“(c) GRANT AUTHORITY.—*

12            *“(1) IN GENERAL.—The Secretary is authorized*  
 13          *to award grants, from allotments under subsection*  
 14          *(e), to Predominantly Black Institutions to enable the*  
 15          *Predominantly Black Institutions to carry out the*  
 16          *authorized activities described in subsection (d).*

17            *“(2) PRIORITY.—In awarding grants under this*  
 18          *section the Secretary shall give priority to Predomi-*  
 19          *nantly Black Institutions with large numbers or per-*  
 20          *centages of students described in subsections (b)(2)(A)*  
 21          *or (b)(2)(C). The level of priority given to Predomi-*  
 22          *nantly Black Institutions with large numbers or per-*  
 23          *centages of students described in subsection (b)(2)(A)*  
 24          *shall be twice the level of priority given to Predomi-*

1 *nantly Black Institutions with large numbers or per-*  
 2 *centages of students described in subsection (b)(2)(C).*

3 *“(d) AUTHORIZED ACTIVITIES.—*

4 *“(1) REQUIRED ACTIVITIES.—Grant funds pro-*  
 5 *vided under this section shall be used—*

6 *“(A) to assist the Predominantly Black In-*  
 7 *stitution to plan, develop, undertake, and imple-*  
 8 *ment programs to enhance the institution’s ca-*  
 9 *capacity to serve more low- and middle-income*  
 10 *Black American students;*

11 *“(B) to expand higher education opportuni-*  
 12 *ties for students eligible to participate in pro-*  
 13 *grams under title IV by encouraging college*  
 14 *preparation and student persistence in secondary*  
 15 *school and postsecondary education; and*

16 *“(C) to strengthen the financial ability of*  
 17 *the Predominantly Black Institution to serve the*  
 18 *academic needs of the students described in sub-*  
 19 *paragraphs (A) and (B).*

20 *“(2) ADDITIONAL ACTIVITIES.—Grant funds pro-*  
 21 *vided under this section shall be used for 1 or more*  
 22 *of the following activities:*

23 *“(A) The activities described in paragraphs*  
 24 *(1) through (11) of section 311(c).*



1           “(B) *Academic instruction in disciplines in*  
 2           *which Black Americans are underrepresented.*

3           “(C) *Establishing or enhancing a program*  
 4           *of teacher education designed to qualify students*  
 5           *to teach in a public elementary school or sec-*  
 6           *ondary school in the State that shall include, as*  
 7           *part of such program, preparation for teacher*  
 8           *certification or licensure.*

9           “(D) *Establishing community outreach pro-*  
 10          *grams that will encourage elementary school and*  
 11          *secondary school students to develop the aca-*  
 12          *demic skills and the interest to pursue postsec-*  
 13          *ondary education.*

14          “(E) *Other activities proposed in the appli-*  
 15          *cation submitted pursuant to subsection (f)*  
 16          *that—*

17                 “(i) *contribute to carrying out the pur-*  
 18                 *pose of this section; and*

19                 “(ii) *are approved by the Secretary as*  
 20                 *part of the review and approval of an ap-*  
 21                 *plication submitted under subsection (f).*

22          “(3) *ENDOWMENT FUND.—*

23                 “(A) *IN GENERAL.—A Predominantly Black*  
 24                 *Institution may use not more than 20 percent of*  
 25                 *the grant funds provided under this section to es-*

1           *tablish or increase an endowment fund at the in-*  
 2           *stitution.*

3           “(B) *MATCHING REQUIREMENT.*—*In order*  
 4           *to be eligible to use grant funds in accordance*  
 5           *with subparagraph (A), a Predominantly Black*  
 6           *Institution shall provide matching funds from*  
 7           *non-Federal sources, in an amount equal to or*  
 8           *greater than the Federal funds used in accord-*  
 9           *ance with subparagraph (A), for the establish-*  
 10          *ment or increase of the endowment fund.*

11          “(C) *COMPARABILITY.*—*The provisions of*  
 12          *part C of title III, regarding the establishment or*  
 13          *increase of an endowment fund, that the Sec-*  
 14          *retary determines are not inconsistent with this*  
 15          *subsection, shall apply to funds used under sub-*  
 16          *paragraph (A).*

17          “(4) *LIMITATION.*—*Not more than 50 percent of*  
 18          *the grant funds provided to a Predominantly Black*  
 19          *Institution under this section may be available for the*  
 20          *purpose of constructing or maintaining a classroom,*  
 21          *library, laboratory, or other instructional facility.*

22          “(e) *ALLOTMENTS TO PREDOMINANTLY BLACK INSTI-*  
 23          *TUTIONS.*—

24          “(1) *FEDERAL PELL GRANT BASIS.*—*From the*  
 25          *amounts appropriated to carry out this section for*

1     *any fiscal year, the Secretary shall allot to each Pre-*  
2     *dominantly Black Institution having an application*  
3     *approved under subsection (f) a sum that bears the*  
4     *same ratio to one-half of that amount as the number*  
5     *of Federal Pell Grant recipients in attendance at such*  
6     *institution at the end of the academic year preceding*  
7     *the beginning of that fiscal year, bears to the total*  
8     *number of Federal Pell Grant recipients at all such*  
9     *institutions at the end of such academic year.*

10           “(2) *GRADUATES BASIS.—From the amounts ap-*  
11     *propriated to carry out this section for any fiscal*  
12     *year, the Secretary shall allot to each Predominantly*  
13     *Black Institution having an application approved*  
14     *under subsection (f) a sum that bears the same ratio*  
15     *to one-fourth of that amount as the number of grad-*  
16     *uates for such academic year at such institution,*  
17     *bears to the total number of graduates for such aca-*  
18     *demie year at all such institutions.*

19           “(3) *GRADUATES SEEKING A HIGHER DEGREE*  
20     *BASIS.—From the amounts appropriated to carry out*  
21     *this section for any fiscal year, the Secretary shall*  
22     *allot to each Predominantly Black Institution having*  
23     *an application approved under subsection (f) a sum*  
24     *that bears the same ratio to one-fourth of that amount*  
25     *as the percentage of graduates from such institution*

1     *who are admitted to and in attendance at, not later*  
 2     *than 2 years after graduation with an associate's de-*  
 3     *gree or a baccalaureate degree, a baccalaureate degree-*  
 4     *granting institution or a graduate or professional*  
 5     *school in a degree program in disciplines in which*  
 6     *Black American students are underrepresented, bears*  
 7     *to the percentage of such graduates for all such insti-*  
 8     *tutions.*

9             “(4) *MINIMUM ALLOTMENT.*—

10            “(A) *IN GENERAL.*—Notwithstanding para-  
 11            *graphs (1), (2), and (3), the amount allotted to*  
 12            *each Predominantly Black Institution under this*  
 13            *section shall not be less than \$250,000.*

14            “(B)   *INSUFFICIENT AMOUNT.*—If the  
 15            *amount appropriated pursuant to subsection (i)*  
 16            *for a fiscal year is not sufficient to pay the min-*  
 17            *imum allotment provided under subparagraph*  
 18            *(A) for the fiscal year, then the amount of such*  
 19            *minimum allotment shall be ratably reduced. If*  
 20            *additional sums become available for such fiscal*  
 21            *year, such reduced allotment shall be increased*  
 22            *on the same basis as the allotment was reduced*  
 23            *until the amount allotted equals the minimum*  
 24            *allotment required under subparagraph (A).*

1           “(5) *REALLOTMENT.*—*The amount of a Predomi-*  
 2           *nantly Black Institution’s allotment under paragraph*  
 3           *(1), (2), (3), or (4) for any fiscal year that the Sec-*  
 4           *retary determines will not be required for such insti-*  
 5           *tution for the period such allotment is available, shall*  
 6           *be available for reallocation to other Predominantly*  
 7           *Black Institutions in proportion to the original allot-*  
 8           *ment to such other institutions under this section for*  
 9           *such fiscal year. The Secretary shall reallocate such*  
 10          *amounts from time to time, on such date and during*  
 11          *such period as the Secretary determines appropriate.*

12          “(f) *APPLICATIONS.*—*Each Predominantly Black In-*  
 13          *stitution desiring a grant under this section shall submit*  
 14          *an application to the Secretary at such time, in such man-*  
 15          *ner, and containing or accompanied by such information*  
 16          *as the Secretary may reasonably require.*

17          “(g) *PROHIBITION.*—*No Predominantly Black Institu-*  
 18          *tion that applies for and receives a grant under this section*  
 19          *may apply for or receive funds under any other program*  
 20          *under part A or part B of title III.*

21          “(h) *DURATION AND CARRYOVER.*—*Any grant funds*  
 22          *paid to a Predominantly Black Institution under this sec-*  
 23          *tion that are not expended or used for the purposes for*  
 24          *which the funds were paid within 10 years following the*

1 *date on which the grant was awarded, shall be repaid to*  
 2 *the Treasury.*

3 “(i) *AUTHORIZATION OF APPROPRIATIONS.—There are*  
 4 *authorized to be appropriated to carry out this section such*  
 5 *sums as may be necessary for fiscal year 2008 and each*  
 6 *of 5 succeeding fiscal years.*

7 **“PART J—EARLY CHILDHOOD EDUCATION PRO-**  
 8 **FESSIONAL DEVELOPMENT AND CAREER**  
 9 **TASK FORCE**

10 **“SEC. 851. SHORT TITLE.**

11 “*This part may be cited as the ‘Early Childhood Edu-*  
 12 *cation Professional Development and Career Task Force*  
 13 *Act’.*

14 **“SEC. 852. PURPOSE.**

15 “*It is the purpose of this part—*

16 “(1) *to improve the quality of the early child-*  
 17 *hood education workforce by creating a statewide*  
 18 *early childhood education professional development*  
 19 *and career task force for early childhood education*  
 20 *program staff, directors, and administrators; and*

21 “(2) *to create—*

22 “(A) *a coherent system of core competencies,*  
 23 *pathways to qualifications, credentials, degrees,*  
 24 *quality assurances, access, and outreach, for*  
 25 *early childhood education program staff, direc-*

1        *tors, and administrators, that is linked to com-*  
 2        *pensation commensurate with experience and*  
 3        *qualifications;*

4                *“(B) articulation agreements that enable*  
 5        *early childhood education professionals to transi-*  
 6        *tion easily among degrees; and*

7                *“(C) compensation initiatives for individ-*  
 8        *uals working in an early childhood education*  
 9        *program that reflect the individuals’ credentials,*  
 10        *degrees, and experience.*

11    **“SEC. 853. DEFINITION OF EARLY CHILDHOOD EDUCATION**  
 12                **PROGRAM.**

13        *“In this part, the term ‘early childhood education pro-*  
 14        *gram’ means—*

15                *“(1) a family child care program, center-based*  
 16        *child care program, State prekindergarten program,*  
 17        *or school-based program, that—*

18                *“(A) provides early childhood education;*

19                *“(B) uses developmentally appropriate*  
 20        *practices;*

21                *“(C) is licensed or regulated by the State;*  
 22        *and*

23                *“(D) serves children from birth through age*  
 24        *5;*

1           “(2) a Head Start Program carried out under  
2       the Head Start Act; or

3           “(3) an Early Head Start Program carried out  
4       under section 645A of the Head Start Act.

5       **“SEC. 854. GRANTS AUTHORIZED.**

6           “(a) *IN GENERAL.*—The Secretary is authorized to  
7       award grants to States in accordance with the provisions  
8       of this part to enable such States—

9           “(1) to establish a State Task Force described in  
10      section 855; and

11          “(2) to support activities of the State Task Force  
12      described in section 856.

13          “(b) *COMPETITIVE BASIS.*—Grants under this part  
14      shall be awarded on a competitive basis.

15          “(c) *EQUITABLE GEOGRAPHIC DISTRIBUTION.*—In  
16      awarding grants under this part, the Secretary shall take  
17      into consideration providing an equitable geographic dis-  
18      tribution of such grants.

19          “(d) *DURATION.*—Grants under this part shall be  
20      awarded for a period of 5 years.

21       **“SEC. 855. STATE TASK FORCE ESTABLISHMENT.**

22          “(a) *STATE TASK FORCE ESTABLISHED.*—The Gov-  
23      ernor of a State receiving a grant under this part shall  
24      establish, or designate an existing entity to serve as, the  
25      State Early Childhood Education Professional Development



1 *and Career Task Force (hereafter in this part referred to*  
 2 *as the ‘State Task Force’).*

3       “(b) *MEMBERSHIP.*—*The State Task Force shall in-*  
 4 *clude a representative of a State agency, an institution of*  
 5 *higher education (including an associate or a baccalaureate*  
 6 *degree granting institution of higher education), an early*  
 7 *childhood education program, a nonprofit early childhood*  
 8 *organization, a statewide early childhood workforce scholar-*  
 9 *ship or supplemental initiative, and any other entity or*  
 10 *individual the Governor determines appropriate.*

11 **“SEC. 856. STATE TASK FORCE ACTIVITIES.**

12       “(a) *ACTIVITIES.*—*The State Task Force shall—*

13               “(1) *coordinate and communicate regularly with*  
 14 *the State Advisory Council on Early Care and Edu-*  
 15 *cation (hereafter in this part referred to as ‘State Ad-*  
 16 *visory Council’)* *or a similar State entity charged*  
 17 *with creating a comprehensive system of early care*  
 18 *and education in the State, for the purposes of—*

19                       “(A) *integrating recommendations for early*  
 20 *childhood professional development and career*  
 21 *activities into the plans of the State Advisory*  
 22 *Council; and*

23                       “(B) *assisting in the implementation of*  
 24 *professional development and career activities*

1           *that are consistent with the plans described in*  
2           *subparagraph (A);*

3           “(2) *conduct a review of opportunities for and*  
4           *barriers to high quality professional development,*  
5           *training, and higher education degree programs, in*  
6           *early childhood development and learning, including*  
7           *a periodic statewide survey concerning the demo-*  
8           *graphics of individuals working in early childhood*  
9           *education programs in the State, which survey shall*  
10          *include information disaggregated by—*

11                   “(A) *race, gender, and ethnicity;*

12                   “(B) *compensation levels;*

13                   “(C) *type of early childhood education pro-*  
14                   *gram setting;*

15                   “(D) *specialized knowledge of child develop-*  
16                   *ment;*

17                   “(E) *years of experience in an early child-*  
18                   *hood education program; and*

19                   “(F) *attainment of—*

20                           “(i) *academic credit for coursework;*

21                           “(ii) *an academic degree;*

22                           “(iii) *a credential;*

23                           “(iv) *licensure; or*

24                           “(v) *certification in early childhood*  
25                   *education; and*

1           “(3) develop a plan for a comprehensive state-  
2       wide professional development and career system for  
3       individuals working in early childhood education pro-  
4       grams or for early childhood education providers,  
5       which plan shall include—

6           “(A) methods of providing outreach to early  
7       childhood education program staff, directors, and  
8       administrators, including methods for how out-  
9       reach is provided to non-English speaking pro-  
10      viders, in order to enable the providers to be  
11      aware of opportunities and resources under the  
12      statewide plan;

13          “(B) developing a unified data collection  
14      and dissemination system for early childhood  
15      education training, professional development,  
16      and higher education programs;

17          “(C) increasing the participation of early  
18      childhood educators in high quality training and  
19      professional development by assisting in paying  
20      the costs of enrollment in and completion of such  
21      training and professional development courses;

22          “(D) increasing the participation of early  
23      childhood educators in postsecondary education  
24      programs leading to degrees in early childhood  
25      education by providing assistance to pay the

1 *costs of enrollment in and completion of such*  
2 *postsecondary education programs, which assist-*  
3 *ance—*

4 *“(i) shall only be provided to an indi-*  
5 *vidual who—*

6 *“(I) enters into an agreement*  
7 *under which the individual agrees to*  
8 *work, for a reasonable number of years*  
9 *after receiving such a degree, in an*  
10 *early childhood education program*  
11 *that is located in a low-income area;*  
12 *and*

13 *“(II) has a family income equal*  
14 *to or less than the annually adjusted*  
15 *national median family income as de-*  
16 *termined by the Bureau of the Census;*  
17 *and*

18 *“(ii) shall be provided in an amount*  
19 *that does not exceed \$17,500;*

20 *“(E) supporting professional development*  
21 *activities and a career lattice for a variety of*  
22 *early childhood professional roles with varying*  
23 *professional qualifications and responsibilities*  
24 *for early childhood education personnel, includ-*

1        *ing strategies to enhance the compensation of*  
 2        *such personnel;*

3                *“(F) supporting articulation agreements be-*  
 4        *tween 2- and 4-year public and private institu-*  
 5        *tions of higher education and mechanisms to*  
 6        *transform other training, professional develop-*  
 7        *ment, and experience into academic credit;*

8                *“(G) developing mentoring and coaching*  
 9        *programs to support new educators in and direc-*  
 10        *tors of early childhood education programs;*

11                *“(H) providing career development advising*  
 12        *with respect to the field of early childhood edu-*  
 13        *cation, including informing an individual re-*  
 14        *garding—*

15                *“(i) entry into and continuing edu-*  
 16        *cation requirements for professional roles in*  
 17        *the field;*

18                *“(ii) available financial assistance;*  
 19        *and*

20                *“(iii) professional development and ca-*  
 21        *reer advancement in the field;*

22                *“(I) enhancing the quality of faculty and*  
 23        *coursework in postsecondary programs that lead*  
 24        *to an associate, baccalaureate, or graduate degree*  
 25        *in early childhood education;*

1           “(J) consideration of the availability of on-  
2           line graduate level professional development of-  
3           fered by institutions of higher education with ex-  
4           perience and demonstrated expertise in estab-  
5           lishing programs in child development, in order  
6           to improve the skills and expertise of individuals  
7           working in early childhood education programs;  
8           and

9           “(K) developing or enhancing a system of  
10          quality assurance with respect to the early child-  
11          hood education professional development and ca-  
12          reer system, including standards or qualifica-  
13          tions for individuals and entities who offer  
14          training and professional development in early  
15          childhood education.

16          “(b) *PUBLIC HEARINGS.*—The State Task Force shall  
17          hold public hearings and provide an opportunity for public  
18          comment on the activities described in the statewide plan  
19          described in subsection (a)(3).

20          “(c) *PERIODIC REVIEW.*—The State Task Force shall  
21          meet periodically to review implementation of the statewide  
22          plan and to recommend any changes to the statewide plan  
23          the State Task Force determines necessary.

1 **“SEC. 857. STATE APPLICATION AND REPORT.**

2       “(a) *IN GENERAL.*—Each State desiring a grant under  
3 this part shall submit an application to the Secretary at  
4 such time, in such manner, and accompanied by such infor-  
5 mation as the Secretary may reasonably require. Each such  
6 application shall include a description of—

7               “(1) *the membership of the State Task Force;*

8               “(2) *the activities for which the grant assistance*  
9 *will be used;*

10              “(3) *other Federal, State, local, and private re-*  
11 *sources that will be available to support the activities*  
12 *of the State Task Force described in section 856;*

13              “(4) *the availability within the State of train-*  
14 *ing, early childhood educator preparation, profes-*  
15 *sional development, compensation initiatives, and ca-*  
16 *reer systems, related to early childhood education; and*

17              “(5) *the resources available within the State for*  
18 *such training, educator preparation, professional de-*  
19 *velopment, compensation initiatives, and career sys-*  
20 *tems.*

21       “(b) *REPORT TO THE SECRETARY.*—Not later than 2  
22 years after receiving a grant under this part, a State shall  
23 submit a report to the Secretary that shall describe—

24              “(1) *other Federal, State, local, and private re-*  
25 *sources that will be used in combination with a grant*  
26 *under this section to develop or expand the State’s*

1     *early childhood education professional development*  
 2     *and career activities;*

3             *“(2) the ways in which the State Advisory Coun-*  
 4     *cil (or similar State entity) will coordinate the var-*  
 5     *ious State and local activities that support the early*  
 6     *childhood education professional development and ca-*  
 7     *reer system; and*

8             *“(3) the ways in which the State Task Force will*  
 9     *use funds provided under this part and carry out the*  
 10    *activities described in section 856.*

11   **“SEC. 858. EVALUATIONS.**

12            *“(a) STATE EVALUATION.—Each State receiving a*  
 13    *grant under this part shall—*

14                *“(1) evaluate the activities that are assisted*  
 15    *under this part in order to determine—*

16                    *“(A) the effectiveness of the activities in*  
 17    *achieving State goals;*

18                    *“(B) the impact of a career lattice for indi-*  
 19    *viduals working in early childhood education*  
 20    *programs;*

21                    *“(C) the impact of the activities on licens-*  
 22    *ing or regulating requirements for individuals in*  
 23    *the field of early childhood development;*

24                    *“(D) the impact of the activities, and the*  
 25    *impact of the statewide plan described in section*



1           856(a)(3), on the quality of education, profes-  
 2           sional development, and training related to early  
 3           childhood education programs that are offered in  
 4           the State;

5           “(E) the change in compensation and reten-  
 6           tion of individuals working in early childhood  
 7           education programs within the State resulting  
 8           from the activities; and

9           “(F) the impact of the activities on the de-  
 10          mographic characteristics of individuals working  
 11          in early childhood education programs; and

12          “(2) submit a report at the end of the grant pe-  
 13          riod to the Secretary regarding the evaluation de-  
 14          scribed in paragraph (1).

15          “(b) SECRETARY’S EVALUATION.—Not later than Sep-  
 16          tember 30, 2013, the Secretary, in consultation with the  
 17          Secretary of Health and Human Services, shall prepare  
 18          and submit to the authorizing committees an evaluation of  
 19          the State reports submitted under subsection (a)(2).

20          **“SEC. 859. AUTHORIZATION OF APPROPRIATIONS.**

21          “*There are authorized to be appropriated to carry out*  
 22          *this part such sums as may be necessary for fiscal year 2008*  
 23          *and each of the 5 succeeding fiscal years.*

1 **“PART K—IMPROVING SCIENCE, TECHNOLOGY,**  
 2 **ENGINEERING, AND MATHEMATICS EDU-**  
 3 **CATION WITH A FOCUS ON ALASKA NATIVE**  
 4 **AND NATIVE HAWAIIAN STUDENTS**

5 **“SEC. 861. IMPROVING SCIENCE, TECHNOLOGY, ENGINEER-**  
 6 **ING, AND MATHEMATICS EDUCATION WITH A**  
 7 **FOCUS ON ALASKA NATIVE AND NATIVE HA-**  
 8 **WAIAN STUDENTS.**

9 “(a) *PURPOSE.*—The purpose of this section is—

10 “(1) *to develop or expand programs for the devel-*  
 11 *opment of professionals in the fields of science, tech-*  
 12 *nology, engineering, and mathematics; and*

13 “(2) *to focus resources on meeting the edu-*  
 14 *cational and cultural needs of Alaska Natives and*  
 15 *Native Hawaiians.*

16 “(b) *DEFINITIONS.*—In this section:

17 “(1) *ALASKA NATIVE.*—The term ‘Alaska Native’  
 18 *has the meaning given the term ‘Native’ in section*  
 19 *3(b) of the Alaska Natives Claims Settlement Act (43*  
 20 *U.S.C. 1602(b)).*

21 “(2) *INSTITUTION OF HIGHER EDUCATION.*—The  
 22 *term ‘institution of higher education’ has the meaning*  
 23 *given the term in section 101(a).*

24 “(3) *ELIGIBLE PARTNERSHIP.*—The term ‘*eligi-*  
 25 *ble partnership’ means a partnership that includes—*

1                   “(A) 1 or more colleges or schools of engi-  
2                   neering;

3                   “(B) 1 or more colleges of science, engineer-  
4                   ing, or mathematics;

5                   “(C) 1 or more institutions of higher edu-  
6                   cation that offer 2-year degrees; and

7                   “(D) 1 or more private entities that—

8                   “(i) conduct career awareness activities  
9                   showcasing local technology professionals;

10                  “(ii) encourage students to pursue edu-  
11                  cation in science, technology, engineering,  
12                  and mathematics from elementary school  
13                  through college, and careers in those fields,  
14                  with the assistance of local technology pro-  
15                  fessionals;

16                  “(iii) develop internships, apprentice-  
17                  ships, and mentoring programs in partner-  
18                  ship with relevant industries; and

19                  “(iv) assist with placement of interns  
20                  and apprentices.

21                  “(4) NATIVE HAWAIIAN.—The term ‘Native Ha-  
22                  waiian’ has the meaning given the term in section  
23                  7207 of the Elementary and Secondary Education  
24                  Act of 1965.

1       “(c) *GRANT AUTHORIZED.*—*The Secretary is author-*  
2 *ized to award a grant to an eligible partnership to enable*  
3 *the eligible partnership to expand programs for the develop-*  
4 *ment of science, technology, engineering, or mathematics*  
5 *professionals, from elementary school through college, in-*  
6 *cluding existing programs for Alaska Native and Native*  
7 *Hawaiian students.*

8       “(d) *USES OF FUNDS.*—*Grant funds under this section*  
9 *shall be used for 1 or more of the following:*

10           “(1) *Development or implementation of cultural,*  
11 *social, or educational transition programs to assist*  
12 *students to transition into college life and academics*  
13 *in order to increase such students’ retention rates in*  
14 *the fields of science, technology, engineering, or math-*  
15 *ematics, with a focus on Alaska Native or Native Ha-*  
16 *waiian students.*

17           “(2) *Development or implementation of academic*  
18 *support or supplemental educational programs to in-*  
19 *crease the graduation rates of students in the fields of*  
20 *science, technology, engineering, or mathematics, with*  
21 *a focus on Alaska Native and Native Hawaiian stu-*  
22 *dents.*

23           “(3) *Development or implementation of intern-*  
24 *ship programs, carried out in coordination with edu-*  
25 *cational institutions and private entities, to prepare*

1        *students for careers in the fields of science, technology,*  
2        *engineering, or mathematics, with a focus on pro-*  
3        *grams that serve Alaska Native or Native Hawaiian*  
4        *students.*

5            *“(4) Such other activities that are consistent*  
6        *with the purposes of this section.*

7            *“(e) APPLICATION.—Each eligible partnership that de-*  
8        *sires a grant under this section shall submit an application*  
9        *to the Secretary at such time, in such manner, and con-*  
10       *taining such information as the Secretary may require.*

11          *“(f) PRIORITY.—In awarding grants under this sec-*  
12       *tion, the Secretary shall give priority to an eligible partner-*  
13       *ship that provides 1 or more programs in which 30 percent*  
14       *or more of the program participants are Alaska Native or*  
15       *Native Hawaiian.*

16          *“(g) PERIOD OF GRANT.—A grant under this section*  
17       *shall be awarded for a period of 5 years.*

18          *“(h) EVALUATION AND REPORT.—Each eligible part-*  
19       *nership that receives a grant under this section shall con-*  
20       *duct an evaluation to determine the effectiveness of the pro-*  
21       *grams funded under the grant and shall provide a report*  
22       *regarding the evaluation to the Secretary not later than 6*  
23       *months after the end of the grant period.*

24          *“(i) AUTHORIZATION OF APPROPRIATIONS.—There are*  
25       *authorized to be appropriated to carry out this section such*

1 *sums as may be necessary for fiscal year 2008 and each*  
 2 *of the 5 succeeding fiscal years.*

3       **“PART L—PILOT PROGRAM TO INCREASE**  
 4       **PERSISTENCE IN COMMUNITY COLLEGES**

5       **“SEC. 865. PILOT PROGRAM TO INCREASE PERSISTENCE IN**  
 6       **COMMUNITY COLLEGES.**

7       “(a) *DEFINITIONS.—In this section:*

8               “(1) *INSTITUTION OF HIGHER EDUCATION.—Ex-*  
 9       *cept as otherwise provided in this section, the term*  
 10       *‘institution of higher education’ means an institution*  
 11       *of higher education, as defined in section 101, that*  
 12       *provides a 1- or 2-year program of study leading to*  
 13       *a degree or certificate.*

14              “(2) *ELIGIBLE STUDENT.—The term ‘eligible*  
 15       *student’ means a student who—*

16                      “(A) *meets the requirements of section*  
 17       484(a);

18                      “(B) *is enrolled at least half time;*

19                      “(C) *is not younger than age 19 and not*  
 20       *older than age 33;*

21                      “(D) *is the parent of at least 1 dependent*  
 22       *child, which dependent child is age 18 or young-*  
 23       *er;*

24                      “(E) *has a family income below 200 percent*  
 25       *of the poverty line;*

1           “(F) has a secondary school diploma or its  
2           recognized equivalent, and earned a passing  
3           score on a college entrance examination; and

4           “(G) does not have a degree or occupational  
5           certificate from an institution of higher edu-  
6           cation, as defined in section 101 or 102(a).

7           “(b) *PROGRAM AUTHORIZED.*—The Secretary is au-  
8           thorized to award grants, on a competitive basis, to institu-  
9           tions of higher education to enable the institutions of higher  
10          education to provide additional monetary and nonmone-  
11          tary support to eligible students to enable the eligible stu-  
12          dents to maintain enrollment and complete degree or certifi-  
13          cate programs.

14          “(c) *USES OF FUNDS.*—

15               “(1) *REQUIRED USES.*—Each institution of  
16          higher education receiving a grant under this section  
17          shall use the grant funds—

18                       “(A) to provide scholarships in accordance  
19                       with subsection (d); and

20                       “(B) to provide counseling services in ac-  
21                       cordance with subsection (e).

22               “(2) *ALLOWABLE USES OF FUNDS.*—Grant funds  
23          provided under this section may be used—

24                       “(A) to conduct outreach to make students  
25                       aware of the scholarships and counseling services

1       *available under this section and to encourage the*  
 2       *students to participate in the program assisted*  
 3       *under this section;*

4               *“(B) to provide gifts of \$20 or less, such as*  
 5       *a store gift card, to applicants who complete the*  
 6       *process of applying for assistance under this sec-*  
 7       *tion, as an incentive and as compensation for*  
 8       *the student’s time; and*

9               *“(C) to evaluate the success of the program.*

10       *“(d) SCHOLARSHIP REQUIREMENTS.—*

11               *“(1) IN GENERAL.—Each scholarship awarded*  
 12       *under this section shall—*

13               *“(A) be awarded for 1 academic year;*

14               *“(B) be awarded in the amount of \$1,000*  
 15       *for each of 2 semesters (prorated for quarters), or*  
 16       *\$2,000 for an academic year;*

17               *“(C) require the student to maintain during*  
 18       *the scholarship period at least half-time enroll-*  
 19       *ment and a 2.0 or C grade point average; and*

20               *“(D) be paid in increments of—*

21               *“(i) \$250 upon enrollment (prorated*  
 22       *for quarters);*

23               *“(ii) \$250 upon passing midterm ex-*  
 24       *aminations (prorated for quarters); and*



1                   “(iii) \$500 upon passing courses (pro-  
2                   rated for quarters).

3                   “(2) *NUMBER.*—An institution may award an  
4                   eligible student not more than 2 scholarships under  
5                   this section.

6                   “(e) *COUNSELING SERVICES.*—

7                   “(1) *IN GENERAL.*—Each institution of higher  
8                   education receiving a grant under this section shall  
9                   use the grant funds to provide students at the institu-  
10                  tion with a counseling staff dedicated to students par-  
11                  ticipating in the program under this section. Each  
12                  such counselor shall—

13                   “(A) have a caseload of less than 125 stu-  
14                  dents;

15                   “(B) use a proactive, team-oriented ap-  
16                  proach to counseling;

17                   “(C) hold a minimum of 2 meetings with  
18                  students each semester; and

19                   “(D) provide referrals to and follow-up with  
20                  other student services staff, including financial  
21                  and career services.

22                   “(2) *COUNSELING SERVICES AVAILABILITY.*—The  
23                  counseling services provided under this section shall  
24                  be available to participating students during the day-  
25                  time and evening hours.

1       “(f) *APPLICATION.*—*An institution of higher education*  
 2 *that desires to receive a grant under this section shall sub-*  
 3 *mit an application to the Secretary at such time, in such*  
 4 *manner, and containing such information as the Secretary*  
 5 *may require, including—*

6               “(1) *the number of students to be served under*  
 7 *this section;*

8               “(2) *a description of the scholarships and coun-*  
 9 *seling services that will be provided under this sec-*  
 10 *tion; and*

11               “(3) *a description of how the program under this*  
 12 *section will be evaluated.*

13       “(g) *PERIOD OF GRANT.*—*The Secretary may award*  
 14 *a grant under this section for a period of 5 years.*

15       “(h) *EVALUATION.*—

16               “(1) *IN GENERAL.*—*Each institution of higher*  
 17 *education receiving a grant under this section shall*  
 18 *conduct an annual evaluation of the impact of the*  
 19 *grant and shall provide the evaluation to the Sec-*  
 20 *retary. The Secretary shall disseminate to the public*  
 21 *the findings, information on best practices, and les-*  
 22 *sons learned, with respect to the evaluations.*

23               “(2) *RANDOM ASSIGNMENT RESEARCH DESIGN.*—  
 24 *The evaluation shall be conducted using a random as-*

1        *signment research design with the following require-*  
 2        *ments:*

3                *“(A) When students are recruited for the*  
 4                *program, all students will be told about the pro-*  
 5                *gram and the evaluation.*

6                *“(B) Baseline data will be collected from all*  
 7                *applicants for assistance under this section.*

8                *“(C) Students will be assigned randomly to*  
 9                *2 groups, which will consist of—*

10                *“(i) a program group that will receive*  
 11                *the scholarship and the additional coun-*  
 12                *seling services; and*

13                *“(ii) a control group that will receive*  
 14                *whatever regular financial aid and coun-*  
 15                *seling services are available to all students*  
 16                *at the institution of higher education.*

17                *“(3) PREVIOUS COHORTS.—In conducting the*  
 18                *evaluation for the second and third years of the pro-*  
 19                *gram, each institution of higher education shall in-*  
 20                *clude information on previous cohorts of students as*  
 21                *well as students in the current program year.*

22                *“(i) AUTHORIZATION OF APPROPRIATIONS.—There are*  
 23                *authorized to be appropriated to carry out this section such*  
 24                *sums as may be necessary for fiscal year 2008 and each*  
 25                *of the 5 succeeding fiscal years.*

1       **“PART M—STUDENT SAFETY AND CAMPUS**

2               **EMERGENCY MANAGEMENT**

3       **“SEC. 871. STUDENT SAFETY AND CAMPUS EMERGENCY**  
 4               **MANAGEMENT.**

5       “(a) *GRANTS AUTHORIZED.*—

6               “(1) *IN GENERAL.*—*The Secretary is authorized*  
 7       *to award grants, on a competitive basis, to institu-*  
 8       *tions of higher education or consortia of institutions*  
 9       *of higher education to enable institutions of higher*  
 10       *education or consortia to pay the Federal share of the*  
 11       *cost of carrying out the authorized activities described*  
 12       *in subsection (c).*

13              “(2) *CONSULTATION WITH THE ATTORNEY GEN-*  
 14       *ERAL AND THE SECRETARY OF HOMELAND SECU-*  
 15       *RITY.*—*Where appropriate, the Secretary shall award*  
 16       *grants under this section in consultation with the At-*  
 17       *torney General of the United States and the Secretary*  
 18       *of Homeland Security.*

19              “(3) *DURATION.*—*The Secretary shall award*  
 20       *each grant under this section for a period of 2 years.*

21              “(4) *LIMITATION ON INSTITUTIONS AND CON-*  
 22       *SORTIA.*—*An institution of higher education or con-*  
 23       *sortium shall be eligible for only 1 grant under this*  
 24       *section.*

25       “(b) *FEDERAL SHARE; NON-FEDERAL SHARE.*—

1           “(1) *IN GENERAL.*—*The Federal share shall be*  
2           *50 percent.*

3           “(2) *NON-FEDERAL SHARE.*—*The institution of*  
4           *higher education or consortium shall provide the non-*  
5           *Federal share, which may be provided from other*  
6           *Federal, State, and local resources dedicated to emer-*  
7           *gency preparedness and response.*

8           “(c) *AUTHORIZED ACTIVITIES.*—*Each institution of*  
9           *higher education or consortium receiving a grant under this*  
10          *section may use the grant funds to carry out 1 or more*  
11          *of the following:*

12           “(1) *Developing and implementing a state-of-the-*  
13           *art emergency communications system for each cam-*  
14           *pus of an institution of higher education or consor-*  
15           *tium, in order to contact students via cellular, text*  
16           *message, or other state-of-the-art communications*  
17           *methods when a significant emergency or dangerous*  
18           *situation occurs. An institution or consortium using*  
19           *grant funds to carry out this paragraph shall also, in*  
20           *coordination with the appropriate State and local*  
21           *emergency management authorities—*

22           “(A) *develop procedures that students, em-*  
23           *ployees, and others on a campus of an institu-*  
24           *tion of higher education or consortium will be*

1       *directed to follow in the event of a significant*  
2       *emergency or dangerous situation; and*

3               *“(B) develop procedures the institution of*  
4       *higher education or consortium shall follow to*  
5       *inform, within a reasonable and timely manner,*  
6       *students, employees, and others on a campus in*  
7       *the event of a significant emergency or dangerous*  
8       *situation, which procedures shall include the*  
9       *emergency communications system described in*  
10       *this paragraph.*

11       *“(2) Supporting measures to improve safety at*  
12       *the institution of higher education or consortium,*  
13       *such as—*

14               *“(A) security assessments;*

15               *“(B) security training of personnel and stu-*  
16       *dents at the institution of higher education or*  
17       *consortium;*

18               *“(C) where appropriate, coordination of*  
19       *campus preparedness and response efforts with*  
20       *local law enforcement, local emergency manage-*  
21       *ment authorities, and other agencies, to improve*  
22       *coordinated responses in emergencies among such*  
23       *entities; and*

24               *“(D) establishing a hotline that allows a*  
25       *student or staff member at an institution or con-*

1           *sortium to report another student or staff mem-*  
2           *ber at the institution or consortium who the re-*  
3           *porting student or staff member believes may be*  
4           *a danger to the reported student or staff member*  
5           *or to others.*

6           “(3) *Coordinating with appropriate local entities*  
7           *the provision of, mental health services for students*  
8           *enrolled in the institution of higher education or con-*  
9           *sortium, including mental health crisis response and*  
10          *intervention services, to individuals affected by a*  
11          *campus or community emergency.*

12          “(d) *APPLICATION.—Each institution of higher edu-*  
13          *cation or consortium desiring a grant under this section*  
14          *shall submit an application to the Secretary at such time,*  
15          *in such manner, and containing such information as the*  
16          *Secretary may require.*

17          “(e) *TECHNICAL ASSISTANCE.—The Secretary shall co-*  
18          *ordinate technical assistance provided by State and local*  
19          *emergency management agencies, the Department of Home-*  
20          *land Security, and other agencies as appropriate, to insti-*  
21          *tutions of higher education or consortia that request assist-*  
22          *ance in developing and implementing the activities assisted*  
23          *under this section.*

24          “(f) *RULE OF CONSTRUCTION.—Nothing in this sec-*  
25          *tion shall be construed—*

1                   “(1) to provide a private right of action to any  
2                   person to enforce any provision of this section;

3           “(2) to create a cause of action against any in-  
4       stitution of higher education or any employee of the  
5       institution for any civil liability; or

6 “(3) to affect the Family Educational Rights  
7 and Privacy Act of 1974 or the regulations issued  
8 under section 264 of the Health Insurance Portability  
9 and Accountability Act of 1996 (42 U.S.C. 1320d-2  
10 note).

11       “(g) *AUTHORIZATION OF APPROPRIATIONS.*—*There*  
12   *are authorized to be appropriated to carry out this section*  
13   *such sums as may be necessary for fiscal year 2008 and*  
14   *each of the 5 succeeding fiscal years.*

15 “SEC. 872. MODEL EMERGENCY RESPONSE POLICIES, PRO-  
16 CEDURES, AND PRACTICES.

17       *“The Secretary of Education, the Attorney General of*  
18 *the United States, and the Secretary of Homeland Security*  
19 *shall jointly have the authority—*

20 “(1) to advise institutions of higher education on  
21 model emergency response policies, procedures, and  
22 practices; and

23 “(2) to disseminate information concerning those  
24 policies, procedures, and practices.”.



1       ***TITLE IX—AMENDMENTS TO***  
 2                   ***OTHER LAWS***

3       ***PART A—EDUCATION OF THE DEAF ACT OF 1986***

4       ***SEC. 901. LAURENT CLERC NATIONAL DEAF EDUCATION***  
 5                   ***CENTER.***

6           *Section 104 of the Education of the Deaf Act of 1986*  
 7       *(20 U.S.C. 4304) is amended—*

8           *(1) by striking the section heading and inserting*  
 9           ***“LAURENT CLERC NATIONAL DEAF EDUCATION***  
 10          ***CENTER”;***

11          *(2) in subsection (a)(1)(A), by inserting “the*  
 12          *Laurent Clerc National Deaf Education Center (re-*  
 13          *ferred to in this section as the ‘Clerc Center’) to carry*  
 14          *out” after “maintain and operate”; and*

15          *(3) in subsection (b)—*

16               *(A) in the matter preceding subparagraph*  
 17               *(A) of paragraph (1), by striking “elementary*  
 18               *and secondary education programs” and insert-*  
 19               *ing “Clerc Center”;*

20               *(B) in paragraph (2), by striking “elemen-*  
 21               *tary and secondary education programs” and*  
 22               *inserting “Clerc Center”; and*

23               *(C) by adding at the end the following:*

1       “(5) *The University, for purposes of the elementary*  
2 *and secondary education programs carried out at the Clerc*  
3 *Center, shall—*

4               “(A)(i) *select challenging academic content*  
5 *standards, challenging student academic achievement*  
6 *standards, and academic assessments of a State,*  
7 *adopted and implemented, as appropriate, pursuant*  
8 *to paragraphs (1) and (3) of section 1111(b) of the*  
9 *Elementary and Secondary Education Act of 1965*  
10 *(20 U.S.C. 6311(b)(1) and (3)) and approved by the*  
11 *Secretary; and*

12               “(ii) *implement such standards and assessments*  
13 *for such programs by not later than the beginning of*  
14 *the 2009–2010 academic year;*

15               “(B) *annually determine whether such programs*  
16 *at the Clerc Center are making adequate yearly*  
17 *progress, as determined according to the definition of*  
18 *adequate yearly progress defined (pursuant to section*  
19 *1111(b)(2)(C) of such Act (20 U.S.C. 6311(b)(2)(C)))*  
20 *by the State that has adopted and implemented the*  
21 *standards and assessments selected under subpara-*  
22 *graph (A)(i); and*

23               “(C) *publicly report the results of the academic*  
24 *assessments implemented under subparagraph (A)*  
25 *and whether the programs at the Clerc Center are*

1       *making adequate yearly progress, as determined*  
 2       *under subparagraph (B).”.*

3   **SEC. 902. AGREEMENT WITH GALLAUDET UNIVERSITY.**

4       *Section 105(b)(4) of the Education of the Deaf Act of*  
 5   *1986 (20 U.S.C. 4305(b)(4)) is amended—*

6               *(1) by striking “the Act of March 3, 1931 (40*  
 7       *U.S.C. 276a–276a–5) commonly referred to as the*  
 8       *Davis-Bacon Act” and inserting “subchapter IV of*  
 9       *chapter 31 of title 40, United States Code, commonly*  
 10      *referred to as the Davis-Bacon Act”; and*

11              *(2) by striking “section 2 of the Act of June 13,*  
 12      *1934 (40 U.S.C. 276c)” and inserting “section 3145*  
 13      *of title 40, United States Code”.*

14   **SEC. 903. AGREEMENT FOR THE NATIONAL TECHNICAL IN-**  
 15               **STITUTE FOR THE DEAF.**

16      *Section 112 of the Education of the Deaf Act of 1986*  
 17   *(20 U.S.C. 4332) is amended—*

18              *(1) in subsection (a)—*

19                      *(A) in paragraph (1)—*

20                              *(i) in the first sentence—*

21                                      *(I) by striking “an institution of*  
 22                                      *higher education” and inserting “the*  
 23                                      *Rochester Institute of Technology,*  
 24                                      *Rochester, New York”; and*

1                   (II) by striking “of a” and insert-  
2                   ing “of the”; and

3                   (ii) by striking the second sentence;

4                   (B) by redesignating paragraph (2) as  
5                   paragraph (3); and

6                   (C) by inserting after paragraph (1) the fol-  
7                   lowing:

8                   “(2) Notwithstanding the requirement under  
9                   paragraph (1), if the Secretary or the Rochester Insti-  
10                  tute of Technology terminates the agreement under  
11                  paragraph (1), the Secretary shall consider proposals  
12                  from other institutions of higher education and enter  
13                  into an agreement with 1 of such institutions for the  
14                  establishment and operation of a National Technical  
15                  Institution for the Deaf.”; and

16                  (2) in subsection (b)—

17                   (A) in paragraph (3), by striking “Com-  
18                   mittee on Labor and Human Resources of the  
19                   Senate” and inserting “Committee on Health,  
20                   Education, Labor, and Pensions of the Senate”;  
21                   and

22                   (B) in paragraph (5)—

23                   (i) by striking “the Act of March 3,  
24                   1931 (40 U.S.C. 276a–276a–5) commonly  
25                   referred to as the Davis-Bacon Act” and in-

serting “subchapter IV of chapter 31 of title  
40, United States Code, commonly referred  
to as the Davis-Bacon Act”; and

(ii) by striking “section 2 of the Act of  
June 13, 1934 (40 U.S.C. 276c)” and in-  
serting “section 3145 of title 40, United  
States Code”.

**SEC. 904. CULTURAL EXPERIENCES GRANTS.**

(a) *CULTURAL EXPERIENCES GRANTS.*—Title I of the  
Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.)  
is amended by adding at the end the following:

**“PART C—OTHER PROGRAMS**

**“SEC. 121. CULTURAL EXPERIENCES GRANTS.**

“(a) *IN GENERAL.*—The Secretary shall, on a competi-  
tive basis, make grants to, and enter into contracts and co-  
operative agreements with, eligible entities to support the  
activities described in subsection (b).

“(b) *ACTIVITIES.*—In carrying out this section, the  
Secretary shall support activities providing cultural experi-  
ences, through appropriate nonprofit organizations with a  
demonstrated proficiency in providing such activities,  
that—

“(1) enrich the lives of deaf and hard-of-hearing  
children and adults;

1           “(2) increase public awareness and under-  
 2           standing of deafness and of the artistic and intellec-  
 3           tual achievements of deaf and hard-of-hearing per-  
 4           sons; or

5           “(3) promote the integration of hearing, deaf,  
 6           and hard-of-hearing persons through shared cultural,  
 7           educational, and social experiences.

8           “(c) *APPLICATIONS*.—An eligible entity that desires to  
 9           receive a grant, or enter into a contract or cooperative  
 10          agreement, under this section shall submit an application  
 11          to the Secretary at such time, in such manner, and con-  
 12          taining such information as the Secretary may require.

13          “(d) *AUTHORIZATION OF APPROPRIATIONS*.—There  
 14          are authorized to be appropriated to carry out this section  
 15          such sums as may be necessary for fiscal year 2007 and  
 16          each of the 5 succeeding fiscal years.”.

17          (b) *CONFORMING AMENDMENT*.—The title heading of  
 18          title I of the Education of the Deaf Act of 1986 (20 U.S.C.  
 19          4301 et seq.) is amended by adding at the end “; *OTHER*  
 20          *PROGRAMS*”.

21       **SEC. 905. AUDIT.**

22          Section 203 of the Education of the Deaf Act of 1986  
 23          (20 U.S.C. 4353) is amended—

24               (1) in subsection (b)—

1           (A) in paragraph (2), by striking “sections”  
 2           and all that follows through the period and in-  
 3           serting “sections 102(b), 105(b)(4), 112(b)(5),  
 4           203(c), 207(b)(2), subsections (c) through (f) of  
 5           section 207, and subsections (b) and (c) of sec-  
 6           tion 209.”; and

7           (B) in paragraph (3), by inserting “and the  
 8           Committee on Education and Labor of the House  
 9           of Representatives and the Committee on Health,  
 10          Education, Labor, and Pensions of the Senate”  
 11          after “Secretary”; and

12          (2) in subsection (c)(2)(A), by striking “Com-  
 13          mittee on Labor and Human Resources of the Senate”  
 14          and inserting “Committee on Health, Education,  
 15          Labor, and Pensions of the Senate”.

16 **SEC. 906. REPORTS.**

17          Section 204 of the Education of the Deaf Act of 1986  
 18          (20 U.S.C. 4354) is amended—

19           (1) in the matter preceding paragraph (1), by  
 20           striking “Committee on Labor and Human Resources  
 21           of the Senate” and inserting “Committee on Health,  
 22           Education, Labor, and Pensions of the Senate”;

23           (2) in paragraph (1), by striking “pre-  
 24           paratory,”;

1           (3) in paragraph (2)(C), by striking “upon  
2           graduation/completion” and inserting “on the date  
3           that is 1 year after the date of graduation or comple-  
4           tion”; and

5           (4) in paragraph (3)(B), by striking “of the in-  
6           stitution of higher education” and all that follows  
7           through the period and inserting “of NTID programs  
8           and activities.”.

9   **SEC. 907. MONITORING, EVALUATION, AND REPORTING.**

10       Section 205 of the Education of the Deaf Act of 1986  
11   (20 U.S.C. 4355) is amended—

12           (1) in subsection (b), by striking “The Secretary,  
13           as part of the annual report required under section  
14           426 of the Department of Education Organization  
15           Act, shall include a description of” and inserting  
16           “The Secretary shall annually transmit information  
17           to Congress on”; and

18           (2) in subsection (c), by striking “fiscal years  
19           1998 through 2003” and inserting “fiscal years 2008  
20           through 2013”.

21   **SEC. 908. LIAISON FOR EDUCATIONAL PROGRAMS.**

22       Section 206(a) of the Education of the Deaf Act of  
23   1986 (20 U.S.C. 4356(a)) is amended by striking “Not later  
24   than 30 days after the date of enactment of this Act, the”  
25   and inserting “The”.



1 **SEC. 909. FEDERAL ENDOWMENT PROGRAMS FOR GAL-**  
 2 **LAUDET UNIVERSITY AND THE NATIONAL**  
 3 **TECHNICAL INSTITUTE FOR THE DEAF.**

4 *Section 207(h) of the Education of the Deaf Act of*  
 5 *1986 (20 U.S.C. 4357(h)) is amended by striking “fiscal*  
 6 *years 1998 through 2003” each place it appears and insert-*  
 7 *ing “fiscal years 2008 through 2013”.*

8 **SEC. 910. OVERSIGHT AND EFFECT OF AGREEMENTS.**

9 *Section 208(a) of the Education of the Deaf Act of*  
 10 *1986 (20 U.S.C. 4359(a)) is amended by striking “Com-*  
 11 *mittee on Labor and Human Resources of the Senate and*  
 12 *the Committee on Education and the Workforce of the*  
 13 *House of Representatives” and inserting “Committee on*  
 14 *Education and Labor of the House of Representatives and*  
 15 *the Committee on Health, Education, Labor, and Pensions*  
 16 *of the Senate”.*

17 **SEC. 911. INTERNATIONAL STUDENTS.**

18 *Section 209 of the Education of the Deaf Act of 1986*  
 19 *(20 U.S.C. 4359a) is amended—*

20 *(1) in subsection (a)—*

21 *(A) by striking “preparatory, under-*  
 22 *graduate,” and inserting “undergraduate”;*

23 *(B) by striking “Effective with” and insert-*  
 24 *ing the following:*

25 *“(1) IN GENERAL.—Except as provided in para-*  
 26 *graph (2), effective with”; and*

1                   (C) by adding at the end the following:

2                   “(2) *DISTANCE LEARNING.*—*International stu-*  
 3                   *dents who participate in distance learning courses*  
 4                   *that are at NTID or the University and who are re-*  
 5                   *siding outside of the United States shall—*

6                   “(A) *not be counted as international stu-*  
 7                   *dents for purposes of the cap on international*  
 8                   *students under paragraph (1), except that in any*  
 9                   *school year no United States citizen who applies*  
 10                   *to participate in distance learning courses that*  
 11                   *are at the University or NTID shall be denied*  
 12                   *participation in such courses because of the par-*  
 13                   *ticipation of an international student in such*  
 14                   *courses; and*

15                   “(B) *not be charged a tuition surcharge, as*  
 16                   *described in subsection (b).’; and*

17                   (2) *by striking subsections (b), (c), and (d), and*  
 18                   *inserting the following:*

19                   “(b) *TUITION SURCHARGE.*—*Except as provided in*  
 20                   *subsections (a)(2)(B) and (c), the tuition for postsecondary*  
 21                   *international students enrolled in the University (including*  
 22                   *undergraduate and graduate students) or NTID shall in-*  
 23                   *clude, for academic year 2008–2009 and any succeeding*  
 24                   *academic year, a surcharge of—*

1           “(1) 100 percent for a postsecondary inter-  
2           national student from a non-developing country; and

3           “(2) 50 percent for a postsecondary international  
4           student from a developing country.

5           “(c) *REDUCTION OF SURCHARGE.*—

6           “(1) *IN GENERAL.*—Beginning with the aca-  
7           demic year 2008–2009, the University or NTID may  
8           reduce the surcharge—

9           “(A) under subsection (b)(1) from 100 per-  
10          cent to not less than 50 percent if—

11          “(i) a student described under sub-  
12          section (b)(1) demonstrates need; and

13          “(ii) such student has made a good  
14          faith effort to secure aid through such stu-  
15          dent’s government or other sources; and

16          “(B) under subsection (b)(2) from 50 per-  
17          cent to not less than 25 percent if—

18          “(i) a student described under sub-  
19          section (b)(2) demonstrates need; and

20          “(ii) such student has made a good  
21          faith effort to secure aid through such stu-  
22          dent’s government or other sources.

23          “(2) *DEVELOPMENT OF SLIDING SCALE.*—The  
24          University and NTID shall develop a sliding scale  
25          model that—

1                   “(A) will be used to determine the amount  
2                   of a tuition surcharge reduction pursuant to  
3                   paragraph (1); and

4                   “(B) shall be approved by the Secretary.

5           “(d) *DEFINITION.*—In this section, the term ‘devel-  
6   oping country’ means a country with a per-capita income  
7   of not more than \$4,825, measured in 1999 United States  
8   dollars, as adjusted by the Secretary to reflect inflation  
9   since 1999.”.

10 **SEC. 912. RESEARCH PRIORITIES.**

11           Section 210(b) of the Education of the Deaf Act of 1986  
12   (20 U.S.C. 4359b(b)) is amended by striking “Committee  
13   on Education and the Workforce of the House of Representa-  
14   tives, and the Committee on Labor and Human Resources  
15   of the Senate” and inserting “Committee on Education and  
16   Labor of the House of Representatives, and the Committee  
17   on Health, Education, Labor, and Pensions of the Senate”.

18 **SEC. 913. AUTHORIZATION OF APPROPRIATIONS.**

19           Section 212 of the Education of the Deaf Act of 1986  
20   (20 U.S.C. 4360a) is amended—

21           (1) in subsection (a), in the matter preceding  
22           paragraph (1), by striking “fiscal years 1998 through  
23           2003” and inserting “fiscal years 2008 through  
24           2013”; and

6 SEC. 921. UNITED STATES INSTITUTE OF PEACE ACT.

11 (b) BOARD OF DIRECTORS.—Section 1706 of the  
12 United States Institute of Peace Act (22 U.S.C. 4605) is  
13 amended—

(2) in subsection (e), by adding at the end the following:

(c) *FUNDING.*—Section 1710 of the United States Institute of Peace Act (22 U.S.C. 4609) is amended—

(1) by striking “to be appropriated” and all that follows through the period at the end and inserting

1       *“to be appropriated such sums as may be necessary*  
 2       *for fiscal years 2008 through 2013.”; and*

3               *(2) by adding at the end the following:*

4       *“(d) EXTENSION.—Any authorization of appropria-*  
 5       *tions made for the purposes of carrying out this title shall*  
 6       *be extended in the same manner as applicable programs*  
 7       *are extended under section 422 of the General Education*  
 8       *Provisions Act.”.*

9       ***PART C—THE HIGHER EDUCATION AMENDMENTS***  
 10                               ***OF 1998***

11       ***SEC. 931. REPEALS.***

12       *The following provisions of title VIII of the Higher*  
 13       *Education Amendments of 1998 (Public Law 105–244) are*  
 14       *repealed:*

15               *(1) Part A.*

16               *(2) Part C (20 U.S.C. 1070 note).*

17               *(3) Part F (20 U.S.C. 1862 note).*

18               *(4) Part J.*

19               *(5) Section 861.*

20               *(6) Section 863.*

21       ***SEC. 932. GRANTS TO STATES FOR WORKPLACE AND COM-***  
 22                               ***MUNITY TRANSITION TRAINING FOR INCAR-***  
 23                               ***CERATED YOUTH OFFENDERS.***

24       *Section 821 of the Higher Education Amendments of*  
 25       *1998 (20 U.S.C. 1151) is amended to read as follows:*

1 **“SEC. 821. GRANTS TO STATES FOR IMPROVED WORKPLACE**  
 2 **AND COMMUNITY TRANSITION TRAINING FOR**  
 3 **INCARCERATED YOUTH OFFENDERS.**

4 “(a) *DEFINITION.*—*In this section, the term ‘youth of-*  
 5 *fender’ means a male or female offender under the age of*  
 6 *35, who is incarcerated in a State prison, including a*  
 7 *prerelease facility.*

8 “(b) *GRANT PROGRAM.*—*The Secretary of Education*  
 9 *(in this section referred to as the ‘Secretary’)—*

10 “(1) *shall establish a program in accordance*  
 11 *with this section to provide grants to the State correc-*  
 12 *tional education agencies in the States, from alloca-*  
 13 *tions for the States under subsection (h), to assist and*  
 14 *encourage youth offenders to acquire functional lit-*  
 15 *eracy, life, and job skills, through—*

16 “(A) *the pursuit of a postsecondary edu-*  
 17 *cation certificate, or an associate or bachelor’s*  
 18 *degree while in prison; and*

19 “(B) *employment counseling and other re-*  
 20 *lated services which start during incarceration*  
 21 *and end not later than 1 year after release from*  
 22 *confinement; and*

23 “(2) *may establish such performance objectives*  
 24 *and reporting requirements for State correctional*  
 25 *education agencies receiving grants under this section*

1       *as the Secretary determines are necessary to assess the*  
2       *effectiveness of the program under this section.*

3       “(c) *APPLICATION.—To be eligible for a grant under*  
4       *this section, a State correctional education agency shall sub-*  
5       *mit to the Secretary a proposal for a youth offender pro-*  
6       *gram that—*

7               “(1) *identifies the scope of the problem, including*  
8       *the number of youth offenders in need of postsec-*  
9       *ondary education and vocational training;*

10              “(2) *lists the accredited public or private edu-*  
11       *cational institution or institutions that will provide*  
12       *postsecondary educational services;*

13              “(3) *lists the cooperating agencies, public and*  
14       *private, or businesses that will provide related serv-*  
15       *ices, such as counseling in the areas of career develop-*  
16       *ment, substance abuse, health, and parenting skills;*

17              “(4) *describes specific performance objectives and*  
18       *evaluation methods (in addition to, and consistent*  
19       *with, any objectives established by the Secretary*  
20       *under subsection (b)(2)) that the State correctional*  
21       *education agency will use in carrying out its pro-*  
22       *posal, including—*

23                   “(A) *specific and quantified student out-*  
24       *come measures that are referenced to outcomes*



1       *for non-program participants with similar de-*  
2       *mographic characteristics; and*

3               *“(B) measures, consistent with the data ele-*  
4       *ments and definitions described in subsection*  
5       *(d)(1)(A), of—*

6               *“(i) program completion, including an*  
7       *explicit definition of what constitutes a pro-*  
8       *gram completion within the proposal;*

9               *“(ii) knowledge and skill attainment,*  
10       *including specification of instruments that*  
11       *will measure knowledge and skill attain-*  
12       *ment;*

13               *“(iii) attainment of employment both*  
14       *prior to and subsequent to release;*

15               *“(iv) success in employment indicated*  
16       *by job retention and advancement; and*

17               *“(v) recidivism, including such sub-*  
18       *indicators as time before subsequent offense*  
19       *and severity of offense;*

20               *“(5) describes how the proposed programs are to*  
21       *be integrated with existing State correctional edu-*  
22       *cation programs (such as adult education, graduate*  
23       *education degree programs, and vocational training)*  
24       *and State industry programs;*

1           “(6) describes how the proposed programs will  
 2           have considered or will utilize technology to deliver  
 3           the services under this section; and

4           “(7) describes how students will be selected so  
 5           that only youth offenders eligible under subsection (e)  
 6           will be enrolled in postsecondary programs.

7           “(d) *PROGRAM REQUIREMENTS.*—Each State correc-  
 8           tional education agency receiving a grant under this section  
 9           shall—

10           “(1) annually report to the Secretary regard-  
 11           ing—

12           “(A) the results of the evaluations conducted  
 13           using data elements and definitions provided by  
 14           the Secretary for the use of State correctional  
 15           education programs;

16           “(B) any objectives or requirements estab-  
 17           lished by the Secretary pursuant to subsection  
 18           (b)(2); and

19           “(C) the additional performance objectives  
 20           and evaluation methods contained in the pro-  
 21           posal described in subsection (c)(4) as necessary  
 22           to document the attainment of project perform-  
 23           ance objectives; and

24           “(2) provide to each State for each student eligi-  
 25           ble under subsection (e) not more than—

1           “(A) \$3,000 annually for tuition, books,  
2           and essential materials; and

3           “(B) \$300 annually for related services such  
4           as career development, substance abuse coun-  
5           seling, parenting skills training, and health edu-  
6           cation.

7           “(e) *STUDENT ELIGIBILITY*.—A youth offender shall be  
8           eligible for participation in a program receiving a grant  
9           under this section if the youth offender—

10           “(1) is eligible to be released within 5 years (in-  
11           cluding a youth offender who is eligible for parole  
12           within such time);

13           “(2) is 35 years of age or younger; and

14           “(3) has not been convicted of—

15           “(A) a ‘criminal offense against a victim  
16           who is a minor’ or a ‘sexually violent offense’, as  
17           such terms are defined in the *Jacob Wetterling*  
18           *Crimes Against Children and Sexually Violent*  
19           *Offender Registration Act* (42 U.S.C. 14071 *et*  
20           *seq.*); or

21           “(B) murder, as described in section 1111 of  
22           title 18, *United States Code*.

23           “(f) *LENGTH OF PARTICIPATION*.—A State correc-  
24           tional education agency receiving a grant under this section  
25           shall provide educational and related services to each par-

1 *ticipating youth offender for a period not to exceed 5 years,*  
 2 *1 year of which may be devoted to study in a graduate*  
 3 *education degree program or to remedial education services*  
 4 *for students who have obtained a secondary school diploma*  
 5 *or its recognized equivalent. Educational and related serv-*  
 6 *ices shall start during the period of incarceration in prison*  
 7 *or prerelease, and the related services may continue for not*  
 8 *more than 1 year after release from confinement.*

9       “(g) *EDUCATION DELIVERY SYSTEMS.*—*State correc-*  
 10 *tional education agencies and cooperating institutions*  
 11 *shall, to the extent practicable, use high-tech applications*  
 12 *in developing programs to meet the requirements and goals*  
 13 *of this section.*

14       “(h) *ALLOCATION OF FUNDS.*—*From the funds appro-*  
 15 *priated pursuant to subsection (i) for each fiscal year, the*  
 16 *Secretary shall allot to each State an amount that bears*  
 17 *the same relationship to such funds as the total number of*  
 18 *students eligible under subsection (e) in such State bears*  
 19 *to the total number of such students in all States.*

20       “(i) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*  
 21 *authorized to be appropriated to carry out this section such*  
 22 *sums as may be necessary for fiscal years 2008 through*  
 23 *2013.”.*

1 **SEC. 933. UNDERGROUND RAILROAD EDUCATIONAL AND**  
 2 **CULTURAL PROGRAM.**

3 *Section 841(c) of the Higher Education Amendments*  
 4 *of 1998 (20 U.S.C. 1153(c)) is amended by striking “this*  
 5 *section” and all that follows through the period at the end*  
 6 *and inserting “this section such sums as may be necessary*  
 7 *for fiscal years 2008 through 2013.”.*

8 **SEC. 934. OLYMPIC SCHOLARSHIPS UNDER THE HIGHER**  
 9 **EDUCATION AMENDMENTS OF 1992.**

10 *Section 1543(d) of the Higher Education Amendments*  
 11 *of 1992 (20 U.S.C. 1070 note) is amended by striking “to*  
 12 *be appropriated” and all that follows through the period*  
 13 *at the end and inserting “to be appropriated such sums as*  
 14 *may be necessary for fiscal years 2008 through 2013.”.*

15 **PART D—INDIAN EDUCATION**

16 **Subpart 1—Tribal Colleges and Universities**

17 **SEC. 941. REAUTHORIZATION OF THE TRIBALLY CON-**  
 18 **TROLLED COLLEGE OR UNIVERSITY ASSIST-**  
 19 **ANCE ACT OF 1978.**

20 *(a) CLARIFICATION OF THE DEFINITION OF NATIONAL*  
 21 *INDIAN ORGANIZATION.—Section 2(a)(6) of the Tribally*  
 22 *Controlled College or University Assistance Act of 1978 (25*  
 23 *U.S.C. 1801(a)(6)) is amended by striking “in the field of*  
 24 *Indian education” and inserting “in the fields of tribally*  
 25 *controlled colleges and universities and Indian higher edu-*  
 26 *cation”.*

1       (b) *INDIAN STUDENT COUNT*.—Section 2(a) of the  
 2       *Tribally Controlled College or University Assistance Act of*  
 3       1978 (25 U.S.C. 1801(a)) is amended—

4               (1) by redesignating paragraphs (7) and (8) as  
 5       paragraphs (8) and (9), respectively; and

6               (2) by inserting after paragraph (6) the fol-  
 7       lowing:

8               “(7) ‘Indian student’ means a student who is—

9                       “(A) a member of an Indian tribe; or

10                      “(B) a biological child of a member of an  
 11       Indian tribe, living or deceased;”.

12       (c) *CONTINUING EDUCATION*.—Section 2(b) of the  
 13       *Tribally Controlled College or University Assistance Act of*  
 14       1978 (25 U.S.C. 1801(b)) is amended—

15               (1) in the matter preceding paragraph (1), by  
 16       striking “paragraph (7) of subsection (a)” and insert-  
 17       ing “subsection (a)(8)”;

18               (2) by striking paragraph (5) and inserting the  
 19       following:

20               “(5) *DETERMINATION OF CREDITS*.—Eligible  
 21       credits earned in a continuing education program—

22                      “(A) shall be determined as 1 credit for  
 23       every 10 contact hours in the case of an institu-  
 24       tion on a quarter system, or 15 contact hours in  
 25       the case of an institution on a semester system,

1           *of participation in an organized continuing edu-*  
 2           *cation experience under responsible sponsorship,*  
 3           *capable direction, and qualified instruction, as*  
 4           *described in the criteria established by the Inter-*  
 5           *national Association for Continuing Education*  
 6           *and Training; and*

7           *“(B) shall be limited to 10 percent of the*  
 8           *Indian student count of a tribally controlled col-*  
 9           *lege or university.”; and*

10          *(3) by striking paragraph (6).*

11          *(d) ACCREDITATION REQUIREMENT.—Section 103 of*  
 12          *the Tribally Controlled College or University Assistance Act*  
 13          *of 1978 (25 U.S.C. 1804) is amended—*

14           *(1) in paragraph (2), by striking “and” at the*  
 15           *end;*

16           *(2) in paragraph (3), by striking the period at*  
 17           *the end and inserting “; and”; and*

18           *(3) by inserting after paragraph (3), the fol-*  
 19           *lowing:*

20           *“(4)(A) is accredited by a nationally recognized*  
 21           *accrediting agency or association determined by the*  
 22           *Secretary of Education to be a reliable authority with*  
 23           *regard to the quality of training offered; or*

24           *“(B) according to such an agency or association,*  
 25           *is making reasonable progress toward accreditation.”.*

1       (e) *TECHNICAL ASSISTANCE CONTRACTS.*—Section  
 2   105 of the Tribally Controlled College or University Assist-  
 3   ance Act of 1978 (25 U.S.C. 1805) is amended—

4               (1) by striking the section designation and head-  
 5       ing and all that follows through “The Secretary shall”  
 6       and inserting the following:

7   **“SEC. 105. TECHNICAL ASSISTANCE CONTRACTS.**

8       “(a) *TECHNICAL ASSISTANCE.*—

9               “(1) *IN GENERAL.*—The Secretary shall”;

10              (2) in the second sentence, by striking “In the  
 11       awarding of contracts for technical assistance, pref-  
 12       erence shall be given” and inserting the following:

13              “(2) *DESIGNATED ORGANIZATION.*—The Sec-  
 14       retary shall require that a contract for technical as-  
 15       sistance under paragraph (1) shall be awarded”; and

16              (3) in the third sentence, by striking “No author-  
 17       ity” and inserting the following:

18       “(b) *EFFECT OF SECTION.*—No authority”.

19       (f) *AMOUNT OF GRANTS.*—Section 108(a) of the Trib-  
 20       ally Controlled College or University Assistance Act of 1978  
 21       (25 U.S.C. 1808(a)) is amended—

22              (1) by redesignating paragraphs (1) and (2) as  
 23       subparagraphs (A) and (B), respectively, and indent-  
 24       ing the subparagraphs appropriately;



1           (2) *by striking “(a) Except as provided in sec-*  
 2           *tion 111,” and inserting the following:*

3           “(a) *REQUIREMENT.*—

4                 “(1) *IN GENERAL.*—*Except as provided in para-*  
 5           *graph (2) and section 111,”;*

6                 (3) *in paragraph (1) (as redesignated by para-*  
 7           *graphs (1) and (2))—*

8                     (A) *in the matter preceding subparagraph*

9                     (A) *(as redesignated by paragraph (1))—*

10                         (i) *by striking “him” and inserting*

11                         *“the Secretary”; and*

12                         (ii) *by striking “product of” and in-*

13                         *serting “product obtained by multiplying”;*

14                     (B) *in subparagraph (A) (as redesignated*

15                     *by paragraph (1)), by striking “section 2(a)(7)”*

16                     *and inserting “section 2(a)(8)”;* and

17                     (C) *in subparagraph (B) (as redesignated*

18                     *by paragraph (1)), by striking “\$6,000,” and in-*

19                     *serting “\$8,000, as adjusted annually for infla-*  
 20                     *tion.”;* and

21                 (4) *by striking “except that no grant shall exceed*

22           *the total cost of the education program provided by*

23           *such college or university.” and inserting the fol-*

24           *lowing:*

1           “(2) *EXCEPTION.*—*The amount of a grant under*  
 2           *paragraph (1) shall not exceed an amount equal to*  
 3           *the total cost of the education program provided by*  
 4           *the applicable tribally controlled college or univer-*  
 5           *sity.*”.

6           (g) *GENERAL PROVISIONS REAUTHORIZATION.*—*Sec-*  
 7           *tion 110(a) of the Tribally Controlled College or University*  
 8           *Assistance Act of 1978 (25 U.S.C. 1810(a)) is amended—*

9                     (1) *in paragraphs (1), (2), (3), and (4), by strik-*  
 10            *ing “1999” and inserting “2008”;*

11                    (2) *in paragraphs (1), (2), and (3), by striking*  
 12            *“4 succeeding” and inserting “5 succeeding”;*

13                    (3) *in paragraph (2), by striking “\$40,000,000”*  
 14            *and inserting “such sums as may be necessary”;*

15                    (4) *in paragraph (3), by striking “\$10,000,000”*  
 16            *and inserting “such sums as may be necessary”; and*

17                    (5) *in paragraph (4), by striking “succeeding 4”*  
 18            *and inserting “5 succeeding”.*

19           (h) *ENDOWMENT PROGRAM REAUTHORIZATION.*—*Sec-*  
 20            *tion 306(a) of the Tribally Controlled College or University*  
 21            *Assistance Act of 1978 (25 U.S.C. 1836(a)) is amended—*

22                    (1) *by striking “1999” and inserting “2008”;*  
 23            *and*

24                    (2) *by striking “4 succeeding” and inserting “5*  
 25            *succeeding”.*

1       (i) *TRIBAL ECONOMIC DEVELOPMENT REAUTHORIZA-*  
 2 *TION.*—Section 403 of the Tribal Economic Development  
 3 and Technology Related Education Assistance Act of 1990  
 4 (25 U.S.C. 1852) is amended—

5           (1) by striking “\$2,000,000 for fiscal year 1999”  
 6 and inserting “such sums as may be necessary for fis-  
 7 cal year 2008”; and

8           (2) by striking “4 succeeding” and inserting “5  
 9 succeeding”.

10       (j) *TRIBALLY CONTROLLED POSTSECONDARY CAREER*  
 11 *AND TECHNICAL INSTITUTIONS.*—

12           (1) *IN GENERAL.*—The Tribally Controlled Col-  
 13 lege or University Assistance Act of 1978 (25 U.S.C.  
 14 1801 et seq.) is amended by adding at the end the fol-  
 15 lowing:

16       **“Subtitle V—Tribally Controlled**  
 17       **Postsecondary Career and Tech-**  
 18       **nical Institutions**

19       **“SEC. 501. DEFINITION OF TRIBALLY CONTROLLED POST-**  
 20       **SECONDARY CAREER AND TECHNICAL INSTI-**  
 21       **TUTION.**

22           “In this title, the term ‘tribally controlled postsec-  
 23 ondary career and technical institution’ has the meaning  
 24 given the term in section 3 of the Carl D. Perkins Career  
 25 and Technical Education Act of 2006 (20 U.S.C. 2302).

1 **“SEC. 502. TRIBALLY CONTROLLED POSTSECONDARY CA-**  
 2 **REER AND TECHNICAL INSTITUTIONS PRO-**  
 3 **GRAM.**

4 “(a) *IN GENERAL.*—Subject to the availability of ap-  
 5 propriations, for fiscal year 2008 and each fiscal year there-  
 6 after, the Secretary shall—

7 “(1) *subject to subsection (b), select 2 tribally*  
 8 *controlled postsecondary career and technical institu-*  
 9 *tions to receive assistance under this title; and*

10 “(2) *provide funding to the selected tribally con-*  
 11 *trolled postsecondary career and technical institutions*  
 12 *to pay the costs (including institutional support*  
 13 *costs) of operating postsecondary career and technical*  
 14 *education programs for Indian students at the trib-*  
 15 *ally controlled postsecondary career and technical in-*  
 16 *stitutions.*

17 “(b) *SELECTION OF CERTAIN INSTITUTIONS.*—

18 “(1) *REQUIREMENT.*—For each fiscal year dur-  
 19 *ing which the Secretary determines that a tribally*  
 20 *controlled postsecondary career and technical institu-*  
 21 *tion described in paragraph (2) meets the definition*  
 22 *referred to in section 501, the Secretary shall select*  
 23 *that tribally controlled postsecondary career and tech-*  
 24 *nical institution under subsection (a)(1) to receive*  
 25 *funding under this section.*

1           “(2) *INSTITUTIONS.*—*The 2 tribally controlled*  
 2           *postsecondary career and technical institutions re-*  
 3           *ferred to in paragraph (1) are—*

4                     “(A) *the United Tribes Technical College;*  
 5                     *and*

6                     “(B) *the Navajo Technical College.*

7           “(c) *METHOD OF PAYMENT.*—*For each applicable fis-*  
 8           *cal year, the Secretary shall provide funding under this sec-*  
 9           *tion to each tribally controlled postsecondary career and*  
 10           *technical institution selected for the fiscal year under sub-*  
 11           *section (a)(1) in a lump sum payment for the fiscal year.*

12           “(d) *DISTRIBUTION.*—

13                     “(1) *IN GENERAL.*—*For fiscal year 2009 and*  
 14                     *each fiscal year thereafter, of amounts made available*  
 15                     *pursuant to section 504, the Secretary shall distribute*  
 16                     *to each tribally controlled postsecondary career and*  
 17                     *technical institution selected for the fiscal year under*  
 18                     *subsection (a)(1) an amount equal to the greater of—*

19                             “(A) *the total amount appropriated for the*  
 20                             *tribally controlled postsecondary career and tech-*  
 21                             *nical institution for fiscal year 2006; or*

22                             “(B) *the total amount appropriated for the*  
 23                             *tribally controlled postsecondary career and tech-*  
 24                             *nical institution for fiscal year 2008.*

1           “(2) *EXCESS AMOUNTS.*—If, for any fiscal year,  
 2           the amount made available pursuant to section 504  
 3           exceeds the sum of the amounts required to be distrib-  
 4           uted under paragraph (1) to the tribally controlled  
 5           postsecondary career and technical institutions se-  
 6           lected for the fiscal year under subsection (a)(1), the  
 7           Secretary shall distribute to each tribally controlled  
 8           postsecondary career and technical institution selected  
 9           for that fiscal year a portion of the excess amount, to  
 10          be determined by—

11                 “(A) dividing the excess amount by the ag-  
 12                 gregate Indian student count (as defined in sec-  
 13                 tion 117(h) of the Carl D. Perkins Career and  
 14                 Technical Education Act of 2006 (20 U.S.C.  
 15                 2327(h)) of such institutions for the prior aca-  
 16                 demic year; and

17                 “(B) multiplying the quotient described in  
 18                 subparagraph (A) by the Indian student count of  
 19                 each such institution for the prior academic  
 20                 year.

21   **“SEC. 503. APPLICABILITY OF OTHER LAWS.**

22           “(a) *IN GENERAL.*—Paragraphs (4) and (7) of sub-  
 23           section (a), and subsection (b), of section 2, sections 105,  
 24           108, 111, 112 and 113, and titles II, III, and IV shall not  
 25           apply to this title.

1       “(b) *INDIAN SELF-DETERMINATION AND EDUCATION*  
 2 *ASSISTANCE.—Funds made available pursuant to this title*  
 3 *shall be subject to the Indian Self-Determination and Edu-*  
 4 *cation Assistance Act (25 U.S.C. 450 et seq.).*

5       “(c) *ELECTION TO RECEIVE.—A tribally controlled*  
 6 *postsecondary career and technical institution selected for*  
 7 *a fiscal year under section 502(b) may elect to receive funds*  
 8 *pursuant to section 502 in accordance with an agreement*  
 9 *between the tribally controlled postsecondary career and*  
 10 *technical institution and the Secretary under the Indian*  
 11 *Self-Determination and Education Assistance Act (25*  
 12 *U.S.C. 450 et seq.) if the agreement is in existence on the*  
 13 *date of enactment of the Higher Education Amendments of*  
 14 *2007.*

15       “(d) *OTHER ASSISTANCE.—Eligibility for, or receipt*  
 16 *of, assistance under this title shall not preclude the eligi-*  
 17 *bility of a tribally controlled postsecondary career and tech-*  
 18 *nical institutions to receive Federal financial assistance*  
 19 *under—*

20               “(1) *any program under the Higher Education*  
 21 *Act of 1965 (20 U.S.C. 1001 et seq.);*

22               “(2) *any program under the Carl D. Perkins Ca-*  
 23 *reer and Technical Education Act of 2006; or*

24               “(3) *any other applicable program under which*  
 25 *a benefit is provided for—*

1                   “(A) *institutions of higher education;*

2                   “(B) *community colleges; or*

3                   “(C) *postsecondary educational institutions.*

4   **“SEC. 504. AUTHORIZATION OF APPROPRIATIONS.**

5           *“There are authorized to be appropriated such sums*  
6 *as are necessary for fiscal year 2008 and each fiscal year*  
7 *thereafter to carry out this title.”.*

8                   (2) *CONFORMING AMENDMENTS.—Section 117 of*  
9 *the Carl D. Perkins Career and Technical Education*  
10 *Act of 2006 (20 U.S.C. 2327) is amended—*

11                   (A) *by striking subsection (a) and inserting*  
12 *the following:*

13           “(a) *GRANT PROGRAM.—Subject to the availability of*  
14 *appropriations, the Secretary shall make grants under this*  
15 *section, to provide basic support for the education and*  
16 *training of Indian students, to tribally controlled postsec-*  
17 *ondary career and technical institutions that are not receiv-*  
18 *ing Federal assistance as of the date on which the grant*  
19 *is provided under—*

20                   “(1) *title I of the Tribally Controlled College or*  
21 *University Assistance Act of 1978 (25 U.S.C. 1802 et*  
22 *seq.); or*

23                   “(2) *the Navajo Community College Act (25*  
24 *U.S.C. 640a et seq.).”;* and



1                   (B) by striking subsection (d) and inserting  
2                   the following:

3           “(d) *APPLICATIONS.*—To be eligible to receive a grant  
4 under this section, a tribally controlled postsecondary ca-  
5 reer and technical institution that is not receiving Federal  
6 assistance under title I of the Tribally Controlled College  
7 or University Assistance Act (25 U.S.C. 1802 et seq.) or  
8 the Navajo Community College Act (25 U.S.C. 640a et seq.)  
9 shall submit to the Secretary an application at such time,  
10 in such manner, and containing such information as the  
11 Secretary may require.”.

12           (k) *SHORT TITLE.*—

13           (1) *IN GENERAL.*—The first section of the Trib-  
14 ally Controlled College or University Assistance Act of  
15 1978 (25 U.S.C. 1801 note; Public Law 95–471) is  
16 amended to read as follows:

17 **“SECTION 1. SHORT TITLE.**

18           “*This Act may be cited as the ‘Tribally Controlled Col-  
19 leges and Universities Assistance Act of 1978’.*”.

20           (2) *REFERENCES.*—Any reference in law (in-  
21 cluding regulations) to the Tribally Controlled College  
22 or University Assistance Act of 1978 shall be consid-  
23 ered to be a reference to the “Tribally Controlled Col-  
24 leges and Universities Assistance Act of 1978”.

1           ***Subpart 2—Navajo Higher Education***

2   ***SEC. 945. SHORT TITLE.***

3           *This subpart may be cited as the “Navajo Nation*  
 4 *Higher Education Act of 2006”.*

5   ***SEC. 946. REAUTHORIZATION OF NAVAJO COMMUNITY COL-***  
 6           ***LEGE ACT.***

7           *(a) PURPOSE.—Section 2 of the Navajo Community*  
 8 *College Act (25 U.S.C. 640a) is amended—*

9                   *(1) by striking “Navajo Tribe of Indians” and*  
 10           *inserting “Navajo Nation”; and*

11                   *(2) by striking “the Navajo Community College”*  
 12           *and inserting “Diné College”.*

13           *(b) GRANTS.—Section 3 of the Navajo Community Col-*  
 14 *lege Act (25 U.S.C. 640b) is amended—*

15                   *(1) in the first sentence—*

16                           *(A) by inserting “the” before “Interior”;*

17                           *(B) by striking “Navajo Tribe of Indians”*  
 18           *and inserting “Navajo Nation”; and*

19                           *(C) by striking “the Navajo Community*  
 20           *College” and inserting “Diné College”; and*

21                   *(2) in the second sentence—*

22                           *(A) by striking “Navajo Tribe” and insert-*  
 23           *ing “Navajo Nation”; and*

24                           *(B) by striking “Navajo Indians” and in-*  
 25           *serting “Navajo people”.*

1       (c) *STUDY OF FACILITIES NEEDS*.—Section 4 of the  
 2       *Navajo Community College Act (25 U.S.C. 640c)* is amend-  
 3       ed—

4               (1) in subsection (a)—

5                       (A) in the first sentence—

6                               (i) by striking “the Navajo Community  
 7                               College” and inserting “Dine College”; and

8                               (ii) by striking “August 1, 1979” and  
 9                               inserting “October 31, 2010”; and

10                       (B) in the second sentence, by striking  
 11                       “Navajo Tribe” and inserting “Navajo Nation”;

12               (2) in subsection (b), by striking “the date of en-  
 13       actment of the Tribally Controlled Community College  
 14       Assistance Act of 1978” and inserting “October 1,  
 15       2007”; and

16               (3) in subsection (c), in the first sentence, by  
 17       striking “the Navajo Community College” and insert-  
 18       ing “Diné College”.

19       (d) *AUTHORIZATION OF APPROPRIATIONS*.—Section 5  
 20       of the *Navajo Community College Act (25 U.S.C. 640c–1)*  
 21       is amended—

22               (1) in subsection (a)—

23                       (A) in paragraph (1), by striking  
 24                       “\$2,000,000” and all that follows through the  
 25                       end of the paragraph and inserting “such sums

1           *as are necessary for fiscal years 2008 through*  
 2           *2013.”; and*

3           *(B) by adding at the end the following:*

4           *“(3) Sums described in paragraph (2) shall be used*  
 5           *to provide grants for construction activities, including the*  
 6           *construction of buildings, water and sewer facilities, roads,*  
 7           *information technology and telecommunications infrastruc-*  
 8           *ture, classrooms, and external structures (such as walk-*  
 9           *ways).”;*

10          *(2) in subsection (b)(1)—*

11           *(A) in the matter preceding subparagraph*

12          *(A)—*

13           *(i) by striking “the Navajo Community*  
 14           *College” and inserting “Diné College”; and*

15           *(ii) by striking “, for each fiscal year”*  
 16           *and all that follows through “for—” and in-*  
 17           *serting “such sums as are necessary for fis-*  
 18           *cal years 2008 through 2013 to pay the cost*  
 19           *of—”;*

20          *(B) in subparagraph (A)—*

21           *(i) by striking “college” and inserting*  
 22           *“College”;*

23           *(ii) in clauses (i) and (iii), by striking*  
 24           *the commas at the ends of the clauses and*  
 25           *inserting semicolons; and*

1                   (iii) in clause (ii), by striking “, and”  
 2                   at the end and inserting “; and”;

3                   (C) in subparagraph (B), by striking the  
 4                   comma at the end and inserting a semicolon;

5                   (D) in subparagraph (C), by striking “,  
 6                   and” at the end and inserting a semicolon;

7                   (E) in subparagraph (D), by striking the  
 8                   period at the end and inserting “; and”; and

9                   (F) by adding at the end the following:

10                  “(E) improving and expanding the College,  
 11                  including by providing, for the Navajo people  
 12                  and others in the community of the College—

13                       “(i) higher education programs;

14                       “(ii) career and technical education;

15                       “(iii) activities relating to the preser-  
 16                       vation and protection of the Navajo lan-  
 17                       guage, philosophy, and culture;

18                       “(iv) employment and training oppor-  
 19                       tunities;

20                       “(v) economic development and com-  
 21                       munity outreach; and

22                       “(vi) a safe learning, working, and liv-  
 23                       ing environment.”; and

24                  (3) in subsection (c), by striking “the Navajo  
 25                  Community College” and inserting “Diné College”.

1       (e) *EFFECT ON OTHER LAWS.*—Section 6 of the Navajo  
2   Community College Act (25 U.S.C. 640c–2) is amended—

3           (1) by striking “the Navajo Community College”  
4       each place it appears and inserting “Diné College”;  
5       and

6           (2) in subsection (b), by striking “college” and  
7       inserting “College”.

8       (f) *PAYMENTS; INTEREST.*—Section 7 of the Navajo  
9   Community College Act (25 U.S.C. 640c–3) is amended by  
10   striking “the Navajo Community College” each place it ap-  
11   pears and inserting “Diné College”.



**Calendar No. 264**

110<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. 1642**

**A BILL**

To extend the authorization of programs under the  
Higher Education Act of 1965, and for other  
purposes.

JULY 10, 2007

Reported with an amendment